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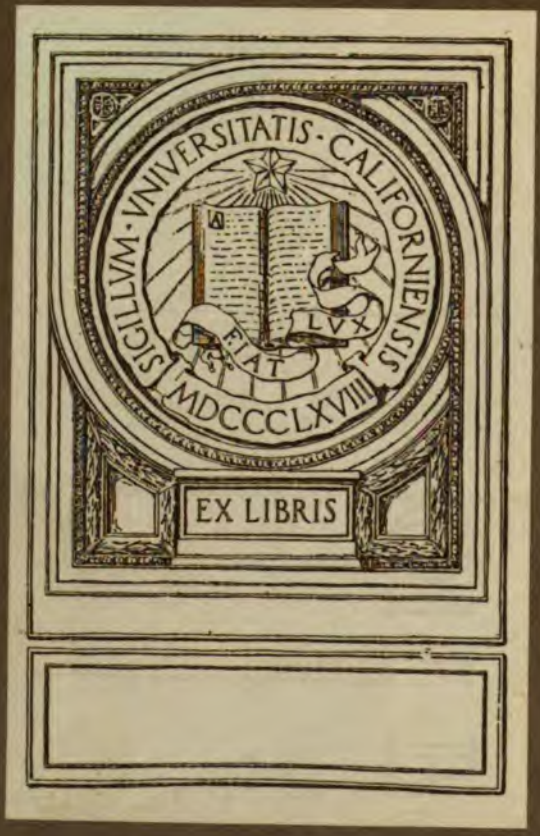
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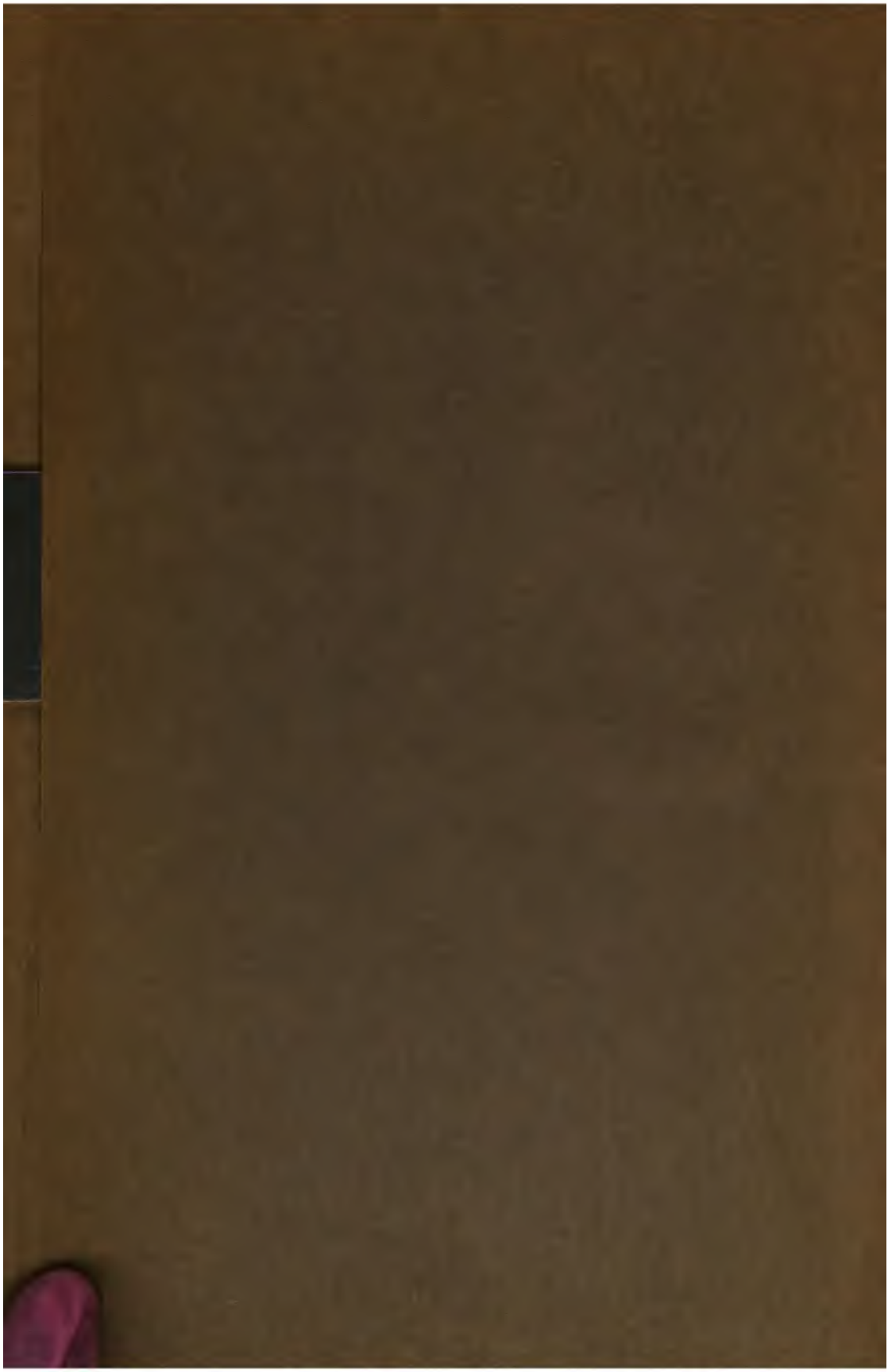

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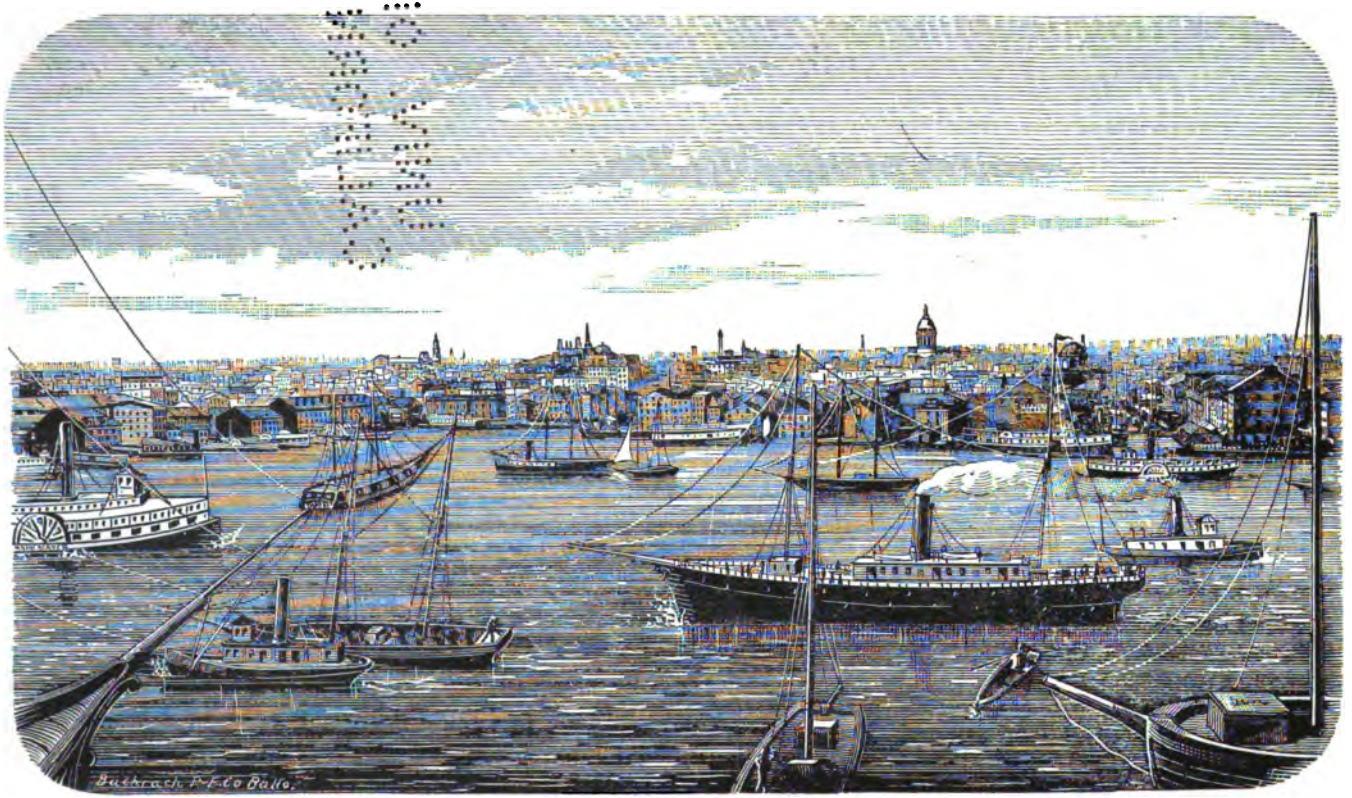


VIEW OF BALTIMORE.

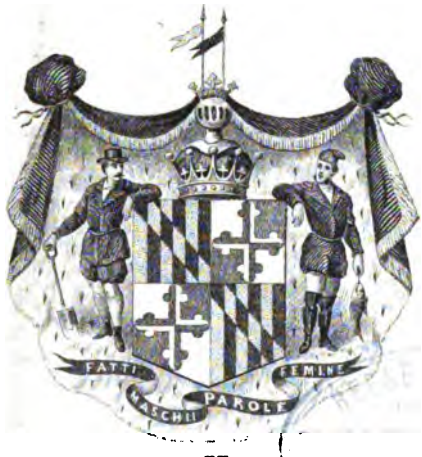
HISTORY

OF

MARYLAND.

UNIV. OF CALIFORNIA

From the Earliest Period to the Present Day.



BY

J. THOMAS SCHARF,

Author of the "Chronicles of Baltimore," &c.—Member of the Maryland Historical Society and Academy of Sciences.—Member of the Historical Society of Pennsylvania.—Honorary Member of the Georgia Historical Society.—Corresponding Member of the Historical Societies of New York, Wisconsin, Minnesota, South Carolina and Virginia; of the Historical and Philosophical Society of Ohio; of the New England Historic-Genealogical Society, &c., &c.

IN THREE VOLUMES.

VOL. II.

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UNIV. OF CALIFORNIA

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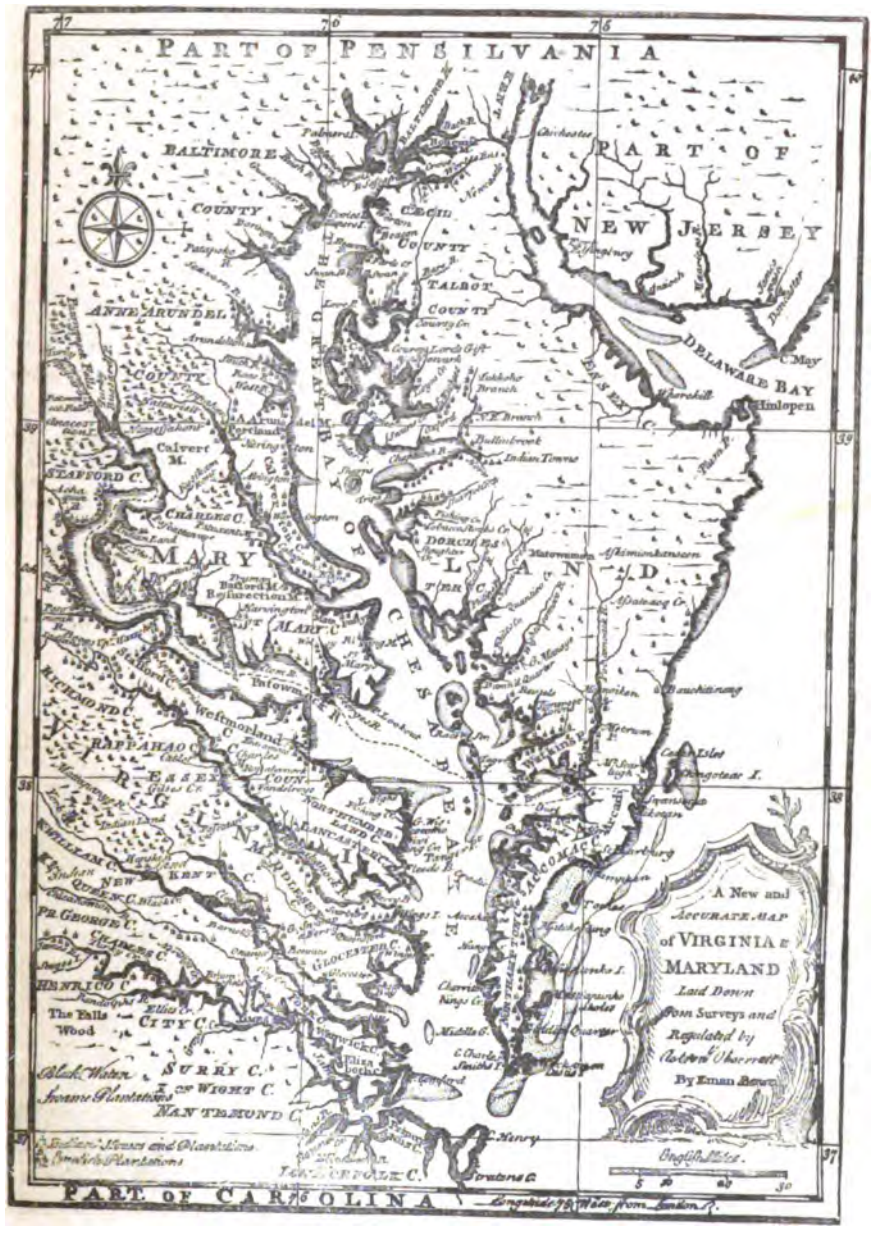
to the present settler in the Western wilderness; and from the first they regarded it as the most valuable private possession of the province. They traded and travelled on it, fought and frolicked on it, and its inlets and estuaries were so numerous and so accommodating that nearly every planter had navigable salt water within a rifle's shot of his front door. Thus, from the first, the "backwoods" was the wilderness, and the backwoods was simply the unsettled region, removed from navigable water. The earlier colonists took up no land but what bordered on the water; and both shores of the bay and its estuaries were settled up to the mouth of the Susquehannah, before the interior of even Charles and St. Mary's, Talbot and Kent counties had ceased to be called the "backwoods."[1]

The bay and its estuaries, in fact, gave the tide-water Marylander a facility of communication with one another and with the outside world not possessed by any other colony on the continent. It had long afforded the Indians their war-path, and the Susquehannoughs used to make regular raids in their canoes upon the outlying settlers on the Patuxent and Severn, on Kent Island and the Gunpowder, until Colonel Utie blocked their way with his fort on Spesutia Island, inside the mouth of the Susquehannah River. The navigable rivers of Maryland, excepting the Upper Potomac and the Susquehannah, are rivers without perceptible current, and they seldom require the use of oars. The tide does not ebb or flow with strength enough to impede the course of a boat under good sail; and it was in appreciation of this that, from the first, the Marylanders adopted the Indian mode of travelling, the Indian canoe and the Indian "pungy," or two-masted pinnace, decked over, and sailed or paddled from place to place. Some luxurious landholders imitated the lordly Virginian style, and had barges propelled by oars in the hands of their slaves,[2] just as Washington had at Mount Vernon, but these were the exception. Neither on the James River nor the Hudson, Long Island Sound, nor at Port Royal, did the waters offer any such thoroughfare, nor were they anywhere so much made use of. Later in the colonial history, the packet-boat was always preferred to the stage-coach and the freight-wagon in all the bay counties of Maryland; and it was this free, open, safe, and pleasant navigation of the Chesapeake Bay and its many inlets, which not only gave to our people a freedom and facility of intercourse with one another not enjoyed by any other agricultural community on the face of the globe, but shaped their manners and regulated their customs to an extent which it is difficult to exaggerate.

[1] Bacon, *Laws*, etc., ch. xii., 1725, says of a statute "to encourage the taking up of runaway slaves that shall be taken up by any person and brought in from the backwoods," that "the *backwoods* being now inhabited, a new county erected therein, and no commission issuing whereon the execution of this act wholly depends, it is in effect become obsolete." This was written in 1765, when the backwoods had passed westward beyond the South Mountain; but in 1725, it meant all the interior of the country west of the navigable parts of the Patuxent, and included the upper hundreds of Baltimore county.

[2] See Eddis' account of his visit, in company with Governor Eden, to John Beale Bordley's plantation on Wye Island.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PART OF NEW JERSEY
BALTIMORE COUNTY
CECIL COUNTY
TALBOT COUNTY
ANNE ARUNDEL COUNTY
DELAWARE BAY
C. May
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Westmorland
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RAPPAHAO C.
ESSEX COUN.
KENT C.
NEW KENT C.
PR. GEORGE C.
HENRICO C.
CITY C.
SURRY C.
NANSEMOND C.
ACCOMAC C.
A New and Accurate Map of VIRGINIA & MARYLAND Laid Down from Surveys and Regulated by Colonel Obserrett
By Eman Bowen
English Miles
PART OF CAROLINA

The total area of Maryland includes 13,959 square miles, but of this only 9,674 is land. Previous to the settlement of the "backwoods," the 4,285 square miles of the Chesapeake and its estuaries must have been much the larger half of the State. Through this bay our people had a water front of over five hundred miles; and its fifty navigable streams, cutting into the tide-water sections in every direction, like the legs of a centipede, made Lord Baltimore's Province appear like a larger Venice. The facilities for easy transportation thus afforded the inhabitants are difficult to overstate. Even to-day, grain can be delivered in Baltimore from the Pocomoke more cheaply and easily than over twelve miles of country road in Baltimore county; and the farmer at Oxford or St. Michael's, gets his crops to market in one-half the time and at about one-fourth the cost for freight that is incurred by the farmer at Reisterstown. In the colonial times, the planter had the still further advantage that the ships which brought out his supplies from Bristol and London and took his tobacco in exchange, anchored, so to speak, within sight of his tobacco houses, and the same barges and lighters which carried his tobacco hogsheads to the ship, returned freighted with his groceries and osnaburgs, with the things which were needed to supply his cellar and pantry and his wife's kitchen and work-basket.

This noble bay and all its branches was alive with water-fowl and shell-fish. Every point that jutted out into it was an oyster bar, where the most delicious bivalves known to the epicure might be had for the taking. Every cove, and every mat of seaweed in all the channels, abounded in crabs, which, "shedding" five months in every year, yielded the delicate soft crab, and at any point on salt water, it was only necessary to dig along shore in order to bring forth as many mananosays, or soft shell clams, as one needed. It is a grave reflection upon the taste of our ancestors that there is no evidence earlier than the beginning of the present century that the diamond-back terrapin was known and appreciated, but the more famous canvas-back duck certainly was known, and its qualities appreciated at a much earlier date.

At the time of which we write, and, indeed, up to the general employment of steam navigation in our waters, the Chesapeake and its estuaries abounded in an almost incalculable number and variety of water fowl, from the lordly swan and the heavy goose to the wee fat "dipper." In the very valuable "Journal" of Dankers and Sluyter,[1] the authors, writing from a point not far probably from Fairlee or Worton Creek, in Kent county, say: "I have nowhere seen so many ducks together as were in the creek in front of this house. The water was so black with them that it seemed when you looked from the land below upon the water, as if it were a mass of filth or turf, and when they flew up there was a rushing and vibration of the air like a great storm coming through the trees, and even like the rumbling of distant thunder,

[1] Journal of a voyage to New York and a tour in several of the American colonies, in 1679–80, by Jaspar Dankers and Peter Sluyter, of Wieverd, in Friesland; translated from the original manuscript in Dutch for the Long Island Historical Society, and edited by Henry C. Murphy, Brooklyn, 1867. Alsop also speaks of the "millionous multitudes" of water-fowl.

while the sky over the whole creek was filled with them like a cloud, or like the starlings fly at harvest time in Fatherland. There was a boy about twelve years old who took aim at them from the shore, not being able to get within good shooting distance of them, but nevertheless shot loosely before they got away, and hit only three or four, complained of his shot, as they are accustomed to shoot from six to twelve, and even eighteen and more at one shot." [p. 204]. In another place, speaking of Mr. Frisby's plantation, Sluyter says [p. 208]: "I must not forget to mention the great number of wild geese we saw here on the river. They rose not in flocks of ten, or twelve, or twenty, or thirty, but continuously, wherever we pushed our way; and, as they made room for us, there was such an incessant clattering made with their wings upon the water when they rose, and such a noise of those flying higher up, that it was all the time as if we were surrounded by a whirlwind or a storm. This proceeded not only from geese, but from ducks and other water-fowl; and it is not peculiar to this place alone, but it occurred on all the creeks and rivers we crossed, though they were most numerous in the morning and evening, when they are most easily shot."

The waters of the bay abounded also in fish, and these, as was the case with both the flora and fauna of the State generally, embraced northern and southern species at once. The bass and the blue-fish did not exclude the pompano and the bonito; the shad and the sturgeon, on their journey to fresh water met the cat-fish and the perch; and the cost of a weir, or the trouble of staking out a net, was repaid to planters all the year round in a full supply of the most delicate sorts of table fish. The quantity of these in the bay in the early times must have been simply enormous. Now and then, in early numbers of the Annapolis *Gazette*, we find records of large hauls of fish, by seine, in water which now the fisherman might search in vain.[1]

As for game, the peculiarly mild cimate and the dense forests made it very abundant. Hammond, in his *Leah and Rachel*, says: "Deer are all over the country, and in places so many that venison is accounted a tiresome meat; wild turkeys are frequent, and so large that I have seen some weigh near three-score pounds." Alsop, who was a redemptioner, and spent several years on a plantation near the Patuxent, describes the deer as being in his time "as plenty as cuckolds in London," implying thereby an innumerable quantity, and also says that they were so tame that they would almost let you touch them. He further mentions that wild turkeys were frequently found in flocks of hundreds.[2] Eddis, writing just about the outbreak of the Revolu-

[1] Thus, to give only one instance, (a hundred could be given easily,) under date of November, 1763, the Maryland *Gazette* notes the fact that, in one day, at Kent Island narrows, there were caught, at one haul of a seine, 173 bushels of fish (chiefly perch), which were sold at two shillings and six-pence per bushel.

[2] The person to whom Alsop was apprenticed had no meat but venison nine months in the year, but that in such abundance that at one time, for a family of seven persons, he had hanging up the carcases of "four-score deer." Wolves, bears and panthers are said by this author to have abounded in the backwoods, and he gives in a very exuberant style the impression made upon him by the natural resources of Maryland: "For within her doth dwell so much of variety, so much of natural

tionary War, says: "Deer, a few years since, were very numerous in the interior settlements; but from the unfair methods adopted by the hunter, their numbers are exceedingly diminished."[1] Squirrels were so abundant and so destructive, that all the counties were authorized by the legislature to pay rewards for their scalps. The bison now and then crossed the Alleghanies and probably the Blue Ridge, but he was seldom seen, and rarely, if ever, hunted. Bears soon retired before the colonies into the mountains, though some were still shot in the swamps of Dorchester as late as 1770. Quail, pheasants, ortolans, snipe, woodcock, raccoons, opossums, wild pigeons, and hares were everywhere to be shot; and, as every man and boy carried a gun habitually,[2] the supply of game upon all tables must have been exceedingly abundant.

It is the peculiarity of Maryland that, small and narrow as the State is, it unites as great a variety of soil, climate, geological structure, and flora and fauna as any other State in the country. The North and the South meet upon its soil, and the East and West also. There may be snow in the mountains of Alleghany at the same time that fuchsias are blooming and figs ripening in the open air in Somerset. It is said that the agaries of Maryland include more varieties than may be found anywhere else within the same narrow limits; and Maryland is perhaps the only State in which the magnolia family of trees meets and grows alongside of the northern pine and hemlock. The Chesapeake Bay itself draws tribute from an extraordinary range of country and climate. While one of its arms touches the feet of the Catskills, and almost reaches to the Adirondacks, another pierces to the heart of the Alleghanies due westward, and a third flows with a turbulent stream through the Blue Ridge, hard by the Peak of Otter. It penetrates the continent at such an angle and so deeply, that Baltimore, very early in its commercial history, became at one and the same time the entrepot of the settlements on the Ohio and on the lakes; Rochester sent to Baltimore for its groceries at the same time that Pittsburg and Cincinnati did so, and it supplied Harrisburg and Williamsport, in Pennsylvania, at the same time that it supplied Knoxville, in Tennessee.

A geological section of the State from Sinepuxent Bay or Point Lookout to Baltimore, and thence by the line of the Baltimore and Ohio Railroad to the top

plenty, that there is not anything that is or may be rare, but it inhabits within this plentious soyle: So that those parts of the creation that have borne the bell away (for many ages,) for a vegetable plentiousness, must now in silence strike and vayle all, and whisper softly in the auditual parts of *Maryland*, that *none but she in this dwells singular, etc.*" Eddis, more temperately, but more convincingly, writes to his English correspondent, that, after making all allowances for a rather bitter and variable climate, and a population unconscious of the duties of loyalty, he was persuaded that, "by prudent management a respectable appearance may be supported in Maryland on terms infinitely more reasonable than in most parts of the mother-country; and that greater opportunities are offered to the industrious and enterprising to lay the foundations of comfortable provision for a succeeding generation."

[1] Eddis' *Letters*, p. 50.

[2] The law with regard to servants required that every apprentice and redemptioner should receive, on attaining his freedom, two hoes, an axe and a gun, costing not less than twenty shillings, and measuring three and one-half feet in the barrel, which he must keep, under a penalty, for not less than twelve months.—Bacon's *Laws*, ch. xliv., 1715.

of Savage Mountain, twenty-five hundred feet above tide-water, exhibits in miniature a section of the geology of the world, from the most recent tertiary deposits to the most ancient formations of primitive rock. The greatest variety of soil overlies this diverse geological structure, varying from the peaty or sandy loams of the bay sections, with their deposits of oyster shell and marl, to the ferruginous clays of the secondary region, the rich and crumbly loams which rest over the beds of granite and limestone, and the fertile pastures in the highlands of "the glades." Valuable bog iron ore may be found in the swamps of Dorchester; and nearly all the various oxides of this metal are deposited either in clays or among the rocks in the several parts of the State. Copper and chromate of iron accompany our serpentine rocks; limestone and marbles are found adjacent to the clays and irons; and the five hundred square miles of coal fields are a treasure, the value of which is scarcely yet fully developed. Other minerals, equally rare and useful, having commercial value and being found under peculiary favorable circumstances, are characteristic of the State's resources. Zinc, red and brown ochre, steatite, manganese, building slate, mica, baryta, tripolis, granite, asbestos, kaolin, breccia limestone, firebrick clay, corundum, are amongst those productions which have already been developed.

The soil of Maryland impartially encourages the growth of both the hard woods and the soft; and the hickory flourishes beside the maple, the white pine beside the white oak, the persimmon with the beech and the wild elm with the sassafras and the dogwood, as if each found here its favorite habitat. Nearly all the berries known to the country, and nearly all the indigenous wild fruits, are to be found growing naturally in the fields and forests; and all the chief grasses are of spontaneous growth. Even timothy itself springs up spontaneously in the deep soils of the glades. All early travellers in, and writers about Maryland, have noted the fact that, even before the first generation of settlers had passed, the country was thickly planted with orchards of apple and peach trees, which seemed to grow in the most flourishing way.[1]

It is certainly remarkable that within twenty-two years after the landing at St. Mary's, orchards should have become a noticeable and even conspicuous feature in the landscape; but the evidence to the fact is conclusive. Probably the exigencies of tobacco culture led to a rapid clearing away of the primeval forests, followed by speedy exhaustion of the soils first in cultivation, and the orchards were planted on lands about the houses which would

[1] Of Alsop, *Leah and Rachel, Sot-Weed Factor*, etc., Hammond, in his *Leah and Rachel*, A.D. 1656, p. 9, says "Orchards innumerable were planted," and again, p. 13, he says: "The country is full of gallant orchards, and the fruit generally more luscious and delightful than here [England], witness the peach and quince, the latter may be eaten raw savorily, the former differs and as much exceeds ours as the best relished apple we have doth the crabb, and of both most excellent and comfortable drinks are made; grapes in infinite manner grow wild, so do walnuts, smalnuts, chestnuts, and an abundance of excellent fruits, plums and berries, not growing or known in *England*; grain we have, both *English* and *Indian* for bread and bear, and pease, besides *English*, of ten several sorts, all exceeding ours in *England*; the gallant root of potatoes [sweet] are common, and so are all sorts of roots, hêrbs and garden stuff.

no longer produce profitable crops of tobacco. The apples, however, were of an inferior sort, "long stems" for summer apples, "redstreaks" for winter.[1] The fecundity of domestic animals is another remarkable circumstance which all the old writers notice. Sheep did not abound, the first settlers refraining from importing them on account of the numbers of wolves in the backwoods, but neat cattle were very numerous, and the woods literally swarmed with hogs, which ran wild and were kept in the best condition by the profusion of mast. This is noted by Alsop and confirmed by Hammond, who notes also the fact that both hogs and cattle were exported to New England and the West Indies.[2]

Horses, which also ran wild, as they did until recently on Chincoteague Island, and do now in Texas, increased so rapidly as to become a serious nuisance and to require to be frequently legislated against.[3] These horses, like the beach ponies, seem to have degenerated from the parent stock, in point at least of size. In examining over one hundred advertisements of lost or stolen horses in the Maryland *Gazette* (1769–74), but one single horse is found mentioned as being over fourteen and a half hands high. Fences were neither numerous nor high in those days; and the incursions of droves of hungry wild horses must have worked serious injury to crops. These wild and comparatively ownerless horses led to another evil as stock became more valuable. Horse-thieves became as numerous as they were at a later day in Kentucky; and the Provincial Government was compelled, by the complaints of the colonists, to institute a force of wood rangers, a sort of mounted police, whose especial office it was to capture runaway slaves, and apprentices and horse-thieves. These rangers were likewise empowered, and, indeed, commissioned to take up, mark, and dispose of any wild neat cattle and horses over three years old, which they might come across in their rides.[4]

The men who settled Maryland so rapidly were drawn from all nations, but were chiefly Englishmen; and the English of that day were not yet quite

[1] See Martha Tyson's *Memoir of the Ellicotts.*

[2] "From this industry of theirs and great plenty of corn (the main staff of life), proceeded the great plenty of cattle and hogs (now innumerable), and out of which not only *New England* hath been stocked and relieved, but all other parts of the *Indies* inhabited by Englishmen."—*Leah and Rachel*, p. 9.

[3] Acts were passed in 1694, '95, '99 and 1712, "to prevent the great evil of the multiplicity of horses in this province;" and stallions were forbidden to run at large save under certain restrictions.—Bacon's *Laws.*

[4] The legislation upon this subject, which was consolidated in the Act of 1715, chapter xxxi. (see Bacon's *Laws*), provides that all inclosures, within the intention of this Act, "shall be five foot high," and that from the first of May until the tenth of November of each year, owners of horses, mares, colts and geldings, shall keep them within such an inclosure, on good and sufficient pasture. A horse, etc., breaking bounds, after two notices, may be shot and killed, if upon the grounds of the aggrieved person; if captured and taken up, the beast may be worked *ad libitum*, until claimed by his owner; the penalty for unlawfully taking horses is set at five hundred pounds of tobacco; wood rangers must have a certificate of good character from the justices of the court of the county, where they propose to ride, before they can be "commissionated;" they are forbidden to appoint deputies, and to break inclosures, but nevertheless, their office is regarded as a very important one, and it was probably quite profitable. The law is, further, very explicit in giving authority to anyone to impound a stallion colt over eighteen months old, found at large, and in forbidding everyone not actually owner, or lessee, or occupant of land, to keep breeding mares in the woods, the penalty in the latter case being a fine of six hundred pounds of tobacco, half to the informer.

erysipelas was supposed to be curable by the application of the blood of a black cat; and consumption released its victims if they partook freely of the syrup of elecampane and spikenard.[1]

It may surprise some of our present generation to learn that some of their ancestors had teeth which were originally in the heads of others. A surgeon advertising in the Maryland *Gazette* of August 15th, 1776, says that "he transplants natural teeth from one person to another, which will be as firm in the jaw, without any ligament, as if they originally grew there." Again, Mr. B. Fendall, dentist, advertises in the same paper, on September 24th, 1779, that "those who have had the misfortune of losing their teeth may have natural teeth transplanted from one person to another, which will remain as firm in the jaw as if they originally grew there." He also "grafted natural teeth on old stumps." Mr. Watson, in his *Annals of Philadelphia*, says:

"I have seen a printed advertisement of the year 1784, wherein Doctor Le Mayeur, dentist, proposes to the citizens of Philadelphia to transplant teeth, stating therein that he has successfully transplanted 123 teeth in the preceding six months. At the same time he offers two guineas for every tooth which may be offered to him by persons disposed to sell their front teeth, or any of them. This was quite a novelty in Philadelphia; the present care of the teeth was ill-understood then. He had, however, great success in Philadelphia, and went off with a great deal of our patricians' money. Several respectable ladies had them implanted. I remember some curious anecdotes of some cases. One of the 'Mischianza' belles had such teeth. They were, in some cases, two months before they could eat with them. One lady told me she knew of sixteen cases of such persons among her acquaintance."

We have seen how fast the colony grew, how its people increased, multiplied, prospered, grew rich; we have not spared to show the causes of this really phenomenal growth, and especially how nature favored the immigrants into Terra Mariæ, so that the land was cleared up and brought into cultivation with a rapidity not equalled probably in any other colony. Much the greater portion of our pine woods country to-day marks the site of worn-out tobacco lands; and, even before the day when Annapolis was described as the richest and most luxurious city upon the continent, it is probable that more than half the arable soil in tide-water Maryland had felt the plough and been shaded by the broad leaves of the tobacco plant. But nature did not do everything. If she provided the articles for the feast, she still did not cook the dishes nor set the banquet; she did not even furnish the undressed materials by herself. Nature did much to give the Commonwealth of Maryland its exceptional advantages and its exceptional position and influence among the thirteen colonies; but race, circumstances, institutions, did still more. The heterogeneous character of Maryland's colonial population is a

[1] See Kercheval's *History of the Valley of Virginia*, (*passim*).

very remarkable fact, and one which cannot be brought out too prominently. It has become the fashion of New England and northern writers to sneer at the history of toleration in Maryland, to dispute the facts attending its establishment, and to deny that it was a voluntary proceeding upon the part of the Lords Proprietary and their subjects, the colonists of Maryland. But they cannot deny the practical workings of toleration as exemplified in the population of the colony, which very early became a harbor of refuge for the oppressed of all lands and of every creed. The New England Puritan sat down here by the side of the Catholic cavalier and planter; the Quaker escaped to Maryland soil where he could feel secure from the lash and the pillory, the cart's tail and the ear-cropper. The names appended in the note at the foot of this page, names of persons naturalized by special Acts of the Provincial Legislature between 1666 and 1750, tell their own story.[1] They are the names of Swedes and Norwegians and Danes, of Spaniards, Italians, French and Belgians, of Dutch and Germans and Bohemians, coming to our shores from every one of the vexed nations of Europe and seeking citizenship among us, because they could acquire peace with it. These names prove how cosmopolitan the early settlers of Maryland were, as compared with Provincial Virginia and Massachusetts. These were settled by one people, who preferred to

[1] Peter Achillis, John Alward, Abraham Ambrose, Moentz Anderson, Peter Anleton, Cornelius Arenson, Isaac de Barrette, Peter Bayard, Stephen Beeson, Michael Bellicane, Samuel Berry, Paul Berte, Garret Vansweringen, Barbara de Barette, Robert Roeland, Jean Jourdain, John Vanheeck, Charles de la Roche, Peter Johnson, Paul Barteaud, William Blankenstein, Lewis Blaney, Francis Rudolph Bodieu, Henry Bouquet, Cornelius Boys, Anthony Brispoe, James Broord, Hermanns Schee, Isaac Vanbibber, Mathias Vanbibber, Derrick Colieman, Sebastian Oley, Christopher Smithers, Arnold Livers, John Jowert, Derrick Browne, Lewis de Roch Brune, Herman van Buckele, Leonard Camperson, Matthew Cartwright, Laurence Christian, Andrew Clements, William Cody, Oliver Colke, Cornelius Comegys, Alexander Dhyniossa, Thomas Turner, Matthias Peterson, Jacob Clause de Young, Ham Jacob de Ring, Rutgertson Garretts, John Lederer, John Elexon, Nicholas Fountaine, Anthony Demouderer, Andrew Toulson, Hester Cordea, John Cosins, Matthias de Costa, Joseph Crismand, Michael Curtis, Benjamin Daffour, Xtopher Dangerman, Daniel Danison, Jasper Dauntrees, John Debrater, John Delamaire, John des Jardins, Peter Dowdee, Jacob Duhattoway, Claudius Dutitree, John Edgar, Henry Enloes, Peter Fernando, Alexander Forbes, Peter Fowcate, Stephen Francis, Henry Freeman, Christian Geist, Peter Golley, John Gotee, John Gontee, Arnoldus de la Grange, Henry Green, Albert Greening, Joshua Guibert, Samuel Guichard, Anna Hack, Hans Hanson, Thomas Harvey, Henry Henderson, John Hendrickson, Augustine Hermann, Gustavus Hesselius, John Francis Holland, Jeoffrey Jawbson, John Jarbo, Andrew Imbert, Albert Johnson, Bernard Johnson, Cornelius Johnson, John Johnson, Peter Johnson, Simon Johnson, Jean Jourdain, Herman Kinkee, Justus Englehead Kitchin, John Lamee, John Lavielle, Joseph Lazear, John Lecount, John Lederer, Arnold Livers, Jacob Lockerman, Jacob Looton, Peter Mannadoe, Rowland Mans, Andrew Matson, Henry Matthews, Matthias Matthiason, Daniel Maynadier, Peter Mills, Peter Moize de Moizne, Nicholas de la Montagne, Peter Montgomery, Christopher Mounts, Martin Mugenbourg, Andrew Poulson *alias* Mullock, John Samuel Mynkie, James Neale, Ambrose Nelson, William Nengfinger, John Nomers, John Oeth, John Oldson, Peter Oldson, Otho Othoson, Peter Owerard, Daniel Packet or Pacquet, David Paget, James Parandier, James Peane, Christian Peters, Cornelius Peterson, Stephen Rashoon, William Rayman, Onerio Razolini, Stephen Rich, James Richard, James Robert, Charles de la Roche, Peter Saunders, Peter Scamper, Jacob Seth, Peter Slayter, George Sleecombe, Hendrick Sluyter, Christopher Smithers, John Haus Steelman, Axel Stille, John Swineyard, Christian Swormstead, Marius Syserson, John Tavert, William Tick, Thomas Turner, John Baptist Tyler, Michael Ury, John de Vagha, Matthias Vanderheyden, Nicholas Verbrack, Frederick Victor, Gerardus Weeffels, John Woolf, John Peter Zenger.

exclude all others; but Maryland from the first, became the home of every race. Virginia was settled by "gentlemen," but, after the first colonization, the yeomanry made up the bulk of Maryland settlers. The Indians appreciated this fact, for, while they called the Virginians "long knives," from the general custom of wearing rapiers, they styled the Marylanders "buckskins" from the costume usually worn by our pioneer classes. The "leather-stocking" was as typical of the Marylander west of Elkridge Landing as the silk stocking of the Virginians about Williamsburg.

But these yeomanry were of all countries, and generally of an earnest, industrious class, as people who expatriate themselves for opinion's sake are apt to be. Toleration was one cause which made the new colony so attractive to such people. In 1660, Virginia was following the example of Massachusetts in persecuting and banishing Quakers; but at this very time Alsop writes of the Maryland Colony that "all inquisition, martyrdoms and banishments are not so much as named, but unexpressibly abhorred." Hence, the Quakers came into our State in great numbers, both before and after Penn had founded his State. They settled right among the Catholics; they founded towns and colonies of their own, and the Neales, Walkers, Harrises, Bransons, Hopkinses, Barretts, Luptons, Fawcetts, Edmonstons, Dixons, etc., are amongst our oldest families. It is probable that at one time there were more Quakers in Talbot county than people of all the other sects put together. In the western part of the State there was early a strong influx of Germans, religious sectaries, nearly every one of them Tunkers, followers of Simon Menno, Lutherans, Calvinists, tenacious in the preservation of their language, religion, habits and customs, but sturdy republicans, and living heartily upon rich lands. Their impress is still visible in the counties upon either slope of the Blue Ridge.

The multifarious character of our population must have forcibly struck visitors and strangers. It is noticed in the Journal of Sluyter and Dankers, and Eddis, writing in 1774, says, "The colonists are composed of *adventurers*, not only from every district of Great Britain and Ireland, but from almost every other European government where the principles of liberty and commerce have operated with spirit and efficacy."[1] It was not simply toleration which invited immigration. The soil, the climate, the prudent, far-sighted policy of the Proprietary Government, and the easy manners of the people all had something to do with it. Maryland, in 1770, was the only colony to which convicts could be shipped from England. They were welcomed because all labor was valuable. The tenure of land under a light quit-rent, was made very easy by the Provincial Government. The Lord Proprietor depending for his income principally upon the sale or rent of lands, had a direct personal interest in promoting immigration by every possible means. Hence, the colony was liberally advertised, as, for example, in Alsop's pamphlet. Governor Stone was appointed to administer the

[1] Eddis' *Letters*, p. 59.

province upon the express condition that he would introduce a specified number of colonists. Redemptioners were invited in at all times, and the laws, at least, protected them scrupulously, and made ample provision for them, after they had served out their time. Some of the best people in Maryland are descended from these indentured servants, who frequently acquired position and fortune. Alsop, whose pamphlet has been so much quoted in these pages, was himself a redemptioner; and Hammond, the author of *Leah and Rachel*, seems to have been one likewise. Tobacco culture made labor so valuable, that many persons were crimped in London and Dublin and sent over to be sold in the colony. The landlords at first were granted land in proportion to the number of their servants, and a lord of a manor was required to have a certain following. A man who could rent 2,000 acres for 400 pounds of wheat, or 1,000 acres for twenty shillings, payable in the commodities of the country, and who was entitled to take up one hundred acres *per capita* of his servants, might be trusted to import servants as extensively as his means would allow. These servants could themselves become proprietors or tenants at the expiration of the term for which they had been sold, and nearly all of them did so.

It was a new country, and full of invitations to people of every class who sought to better themselves. Land and living were very cheap, while labor was very high, comparatively. In Eddis' time, land could be taken up for a cost of about sixty-five cents per acre. It was much cheaper in earlier times. One hand could till with ease 6,000 hills of tobacco and five acres of corn, and many driving planters got double this much work from their slaves. One pound of tobacco would buy three pounds of beef; two pounds would buy a fat pullet; a hogshead would purchase all the luxuries a family needed in the course of a year, and the net and gun supplied every deficiency.[1]

Under all the various impulses adverted to, the colony grew rapidly in population, importance and riches. The Indians receded before the buckskins, and their hunting grounds were turned into tobacco fields. The bay teemed with craft, large and small. Roads were made, manufacturing began,

[1] In the Maryland *Gazette* of August 20, 1754. we have the following:

"Memorandum for a Seine-Hauling in Severn River, near a delightful Spring at the foot of *Constitution Hill:*

"Six bottles of wine, right old, good and clear—
A dozen, at least, of *English* strong beer;
Six quarts of good rum, to make punch and grogg—
(The latter a drink that's now much in vogue);
Some cyder, if sweet, would not be amiss—
Of butter six pounds, we can't do with less;
A tea-kettle, tea, and all the tea-geer—
To treat the ladies; and also small beer;
Sugar, lemons, a strainer, likewise a spoon—
Two China bowls to drink out of at noon;
A large piece of cheese, a table-cloth too—
A sauce-pan, two desses, and a cork-screw;
Some plates, knives and forks, fish kettle, or pot—
And pipes and tobacco must not be forgot;
A frying pan, bacon or lard for to fry—
A tumbler and glass to use when we're dry;
A hatchet, some matches, a steel and a flint—
Some touch-wood, or box with good tinder in 't;
Some vinegar, salt, some parsley and bread—
Or else loaves of pone to eat in its stead;
And for fear of bad luck at catching of fish—
Suppose we should carry—A READY DRESS'D DISH."

the wilderness was pierced, "the backwoods" receded further and further away, the feeble plantation at St. Mary's had grown to be a State all at once, and within the compass of three lives.[1]

A population thus rapidly accumulated, so various in its types, and so unique in its composition must have had strongly marked peculiarities. There must have been that contrast and distinction in classes which mark an aristocracy; and yet this aristocracy was tempered and subdued by the constant infusion into the ruling class of material derived from the redemptioner class. There is the best evidence that men from this class were at the making of the laws for the protection of the redemptioners, for regulating

[1] In 1755, a set of queries were sent out by the Lords of Trade and Plantations to the Lieutenant Governor of Maryland, from the answers to which we learn the following particulars:

The legislative body consisted of governor, twelve councillors (Upper House), and fifty-eight delegates (Lower House). Trade, chiefly exportation of tobacco to Great Britain. Vessels annually sent from Great Britain to the number of about 180, of about 10,000 tons, navigated by about 3,600 men.

Vessels owned in the province, about 60, 2,000 tons burthen, navigated by 480 men. Most of these employed in West India trade, which is not very lucrative.

The inhabitants receive annually from Great Britain all sorts of fine and coarse woollens and linens, great quantities of wrought leather and wrought iron, and almost all kinds of British manufactures. English importations annually estimated about £150,000.

Very little trade with foreign plantations. A vessel or two with corn, bread, flour and pipe-stems sent yearly to Madeira for wine, and a few small cargoes of lumber and provisions to Portuguese Islands for salt.

No trade with any European country beside Great Britain, except some years they freight a ship or two with wheat and lumber to Lisbon, and sometimes a vessel to Ireland with flaxseed, plank and staves.

Commodities exported (besides tobacco), are wheat, lumber, Indian corn, bread, flour, pig and bar iron, skins, furs, and some flaxseed, valued altogether at about £40,000.

A great many iron mines, some very good. Eight furnaces for making pig iron, and nine forges for bar iron. "There are great shews of copper in many places; but of the several attempts that have been made to discover veins of that metal, none has been yet made that quitted cost."

White inhabitants, 107,963; blacks and mulattoes, 46,225. In 1748, the whites were about 94,000; blacks, about 36,000. Since that time, near 2,000 Germans have been imported, and perhaps 5,000 souls from Great Britain and Ireland. Number of militia is 16,500, ill supplied with arms, and not properly regulated for want of good militia law. No strong places of defence in the province.

About 140 Indians in Maryland, who reside in the populous parts of the province, on lands that have been reserved for them since the first settlement of the English, live in harmony with the inhabitants. Neighboring Indians are the Shawanese, Susquehannoughs and Delawares, living in Pennsylvania and on the Ohio. Formerly friendly to the English, but since Braddock's defeat, have joined the French and devastated the frontiers. Probably 700 or 800. Revenue: 1661, a port duty of fourteen-pence per ton on all ships (except country bottoms) trading to the province. This goes to the Lord Proprietary. Since 1694, three-pence per ton on all vessels as above for use of the government. 1704, twelve-pence a hogshead on tobacco, for support of the government. 1704, twelve-pence currency on every 100 pounds of dried beef and bacon, and on every barrel of pork and beef undried exported by persons not inhabitants: proceeds for maintaining a free school. 1715, three-pence a gallon on rum, wine, brandy and spirits; twenty-pence per poll on negroes and Catholic Irish servants imported. If in country bottoms, these duties (except that on Irish servants) not payable. 1717, additional twenty-pence per poll on Irish Catholic servants, and additional duty of twenty shillings currency per poll on imported negroes, for the support of public schools. 1723, duty of twelve-pence per barrel and six-pence per 100 pounds of pork; twelve-pence per barrel of pitch, and six-pence per barrel of tar, imported by non-Marylanders, for free schools. 1732, fifteen-pence sterling on every hogshead of tobacco, exported for thirty-one years, as sinking fund to redeem £90,000 omitted in bills of credit. 1754, Act for giving £500 in presents to Six Nations, who should meet the commissioners in obedience to treaty of peace, and £6,000 currency for express agent at Ft. Du Quesne. All officers except collectors and surveyors of customs, hold their places under the Proprietary.

contracts with them, fixing their term of service and their clothing and equipment on arriving at the end of that term and gaining their freedom. There is proof in the "Sot-Weed Factor" and in other vestiges of the early history of the colony, that the redemptioners and indentured servants of all kinds were not only well treated, but lived on terms of almost equality with their masters. It was not until the complete establishment of negro slavery that white labor became disprized, and the indentured servants were exposed to ill-treatment. This, indeed, might be inferred from the laws on the subject of masters and servants, which were full and numerous. They defined the duties of servants very strictly, but at the same time protected them and enforced their rights. They were treated as part of the body of citizens, and were compelled to bear arms and do militia duty. They were prevented from running away and from vagrancy by severe penalties and rigid laws. All servants, "whether by indenture, or according to the custom of the country, or hired for wages" were liable to be taken up as runaways if caught ten miles from home without written permission from their masters.[1] If absent without leave, ten days were to be added to their term of service for every day's absence. The person who harbored a runaway was fined 500 pounds of tobacco for each twenty-four hours, and to be whipped if unable to pay the fine. There was a standing reward of 200 pounds of tobacco for taking up runaways, and Indians who captured such vagrants were given a "match-coat"[2] for each runaway they took. Trading with servants without permission of masters was a fineable offence. But the law was just, as well as severe. It gave servants the right of petition in county courts. It compelled redemptioners to be brought into court to have their ages determined. If they were transported servants without indentures, they were to be sold for a term of five years, if over 22 years old; if between the ages of 18 and 22, six years; if between 15 and 18, seven years; under 15 to serve until 22 years old. Their term of service was deemed to begin from the moment the vessel anchored, and in no case later than fourteen days after her coming inside the capes. If master, mistress or overseer starved, ill-lodged, ill-clothed or overworked servants, excessively beat or abused them, or gave them more than ten lashes for any offence, they were fined 1,000 pounds of tobacco, and if convicted three times, the servant was set free. If a greater correction was needed by servants, they must be taken before a magistrate. When they became free at the end of their term of service, servants received a "freedom due." This was explicitly defined in the statute. "Every man servant, according to the custom of the country, shall have given to him at the expiration of his term of service: one new hat, one new suit (coat and breeches) of kersey or broadcloth, a white linen shift [two shirts?], a pair of French fall shoes, stockings, two houghs [hoes], one

[1] Bacon's *Laws*, ch. xliv.; 1715.

[2] The match-coat was an Indian blanket, made of Duffield cloth, with the wool long upon one side, so as to remind the savages of their furs.

axe, one gun of 20 shillings value, not above four feet in the barrel nor under three and a half feet," to be delivered to him in the presence of a magistrate, and which he was forbidden to sell during the first twelve months, together with a supply of ammunition. Women servants were to have a waistcoat and petticoat of "new half-thick or Pennistone, a new shift of white linen, shoes and stockings, a blue apron, two white linen caps and three barrels of Indian corn."[1]

These careful laws must have been framed, in part at least, by General Assemblies, some of the members of which had themselves been redemptioners and knew by experience wherein they needed protection and explicit laws. Under them at first the white laborers, redemptioners, and even convicts were well treated, and kindly relations existed between them and their masters. Hammond, in his *Leah and Rachel*, says explicitly that "those servants that will be industrious, may in their time of service gain a competent estate before their freedomes, which is usually done by many, and they gain esteeme and assistance that appear so industrious: There is no master almost but will allow his servant a parcel of clear ground to plant some tobacco in for himself, which he may husband at those many idle times he hath allowed him, and not prejudice but rejoice his master to see it; which in time of shipping he may lay out for commodities, and in summer sell them again with advantage, and get a sow-pig or two, which any body almost will give him, and his master suffer him to keep them with his own, which will be no charge to his master, and with one year's increase of them may purchase a cow-calf or two, and by that time he is for himself he may have cattle, hogs and tobacco of his own, and come to live gallantly; but this must be gained (as I said), by industry and affability, not by sloth nor churlish behavior." The labor they are put to, he says, is not so hard nor of such continuance as husbandmen or handicraftmen are kept at in England, and they are well fed. Alsop, a redemptioner himself, says "that the four years I served there, were not to me so slavish as a two years' servitude of a handicraft apprenticeship here in London." They were well fed and well clad, he says, worked five days and a half, and in summer had three hours' nooning, together with hunting privileges in winter.

But when negroes, slaves for life, were introduced, became numerous, and competed with the indented servants, the latter were no longer well treated; they fell off in character, and were often crimped, often bought out of the jails. When Eddis was in the colony, just before the outbreak of the Revolutionary War, he found their condition wretched indeed. "Persons in a state of servitude," he says "are under four distinct denominations: negroes, who are the entire property of their respective owners; convicts, who are transported from the mother-country for a limited term; indented servants, who are engaged for five years previous to their leaving England; and free-willers, who are supposed from their situation, to possess superior advantages." "Of

[1] Bacon, ch. xliv.; 1715.

these classes," Eddis says, "that only the negroes were kindly treated." The convicts, free-willers and redemptioners were "strained to the utmost to perform their allotted labor." They groaned "under a worse than Egyptian bondage." They often attempted to escape but seldom succeeded.[1] They were the victims of a terrible system of peonage, aggravated in every way. They were disfranchised and friendless, and their condition was regulated solely by the price of negroes. Character was of no consequence in such a competition, and yet the crimps often carried off and sold into this bondage the most deserving persons, and there are some surprising and romantic stories in connection with it.[2] This change of treatment of the indentured servants was not altogether an evil, since it precipitated the breaking up of the oppressive system. It tended to draw the line of distinction much more broadly between the patrician and plebeian classes, but it made the sturdy freemen and freedmen of the colony value their freedom much more highly than they might otherwise have done. But it was an atrocious system which sold the debtor into slavery for his debt, and even permitted *witnesses* to be sold to liquidate their prison fees! The laws tended to protect the rich and oppress the poor. The debtor's person could be sold, but the lord of the manor could entail his estate so that that could not be sold. Indeed, it was hard to sell land in fee simple under any circumstances, and the old Maryland lord of the manor was much of an aristocrat, whether on his broad plantation or in his Annapolis town-house. He would not admit the "lower classes" to his assemblies. He danced the minuet, and left jigs and hornpipes to the base mechanical. He wore silk and velvet and a sword, in token of his rank, and his lady wife must have her sedan chair, if she went out of an evening. There was a distinction of dress, and there were claims of exclusive privileges which were conceded without question to the gentry at

[1] The following advertisement is taken from the Maryland *Gazette* of March 16, 1769:

"FORTY SHILLINGS REWARD:

"Last Wednesday noon, at break of day,
From *Philadelphia* ran away
An Irishman named John McKeoghn,
To fraud and imposition prone;
About five feet, five inches high,
Can curse and swear as well as lie;
How old he is I can't engage,
But forty-five is near his age;
He came (as all reports agree)
From Belfast Town in sixty-three,
On board the Culloden, a ship
Commanded by McLean that trip;
Speaks like a Scotchman, very broad,
Is round shoulder'd and meagre jaw'd;
Has thick, short hair, of sandy hue,
Breeches and hose of maz'reen blue;
Of lightish cloth an outside vest,
In which he commonly is dressed;
Inside of which two more I've seen,
One flannel, th'other coarse nankeen.
He stole, and from my house convey'd
A man's blue coat of bear-skin stuff,
(Nor had the villain yet enough);
Some chintz (the ground was pompadour)
I lately purchas'd in a store,
Besides a pair of blue ribbed hose,
Which he has on, as I suppose.
He oft in conversation chatters
Of Scripture and religious matters,
And fain would to the world impart
That virtue lodges in his heart;
But take the rogue from stem to stern,
The hypocrite you'll soon discern—
And find (tho' his deportment's civil)
A saint without, within a devil.
Whoe'er secures said John McKeoghn,
(Provided I should get my own),
Shall have from me, in cash paid down,
Five dollar bills, and half a crown.

—MARY NELSON.

Water Street, January 10, 1769.

[2] For example, the story of the heir of the house of Annesley, which has recently been written up by Mr. Charles Reade.

the time of which we write. Beneficed clergymen were exempt from taxation and military duty, and judges and magistrates had their grandeur and dignity protected by a *chevaux-de-frise* of pains and penalties for contempt. Yet Eddis remarks the democratic manners of the people, and that they paid but little obeisance to their superiors, and seemed to be pervaded with a general sense of equality. They were more shrewd, he says, quicker of apprehension, and more inquisitive than the same classes in England. They were versed in the affairs of State, and held to their opinions firmly. Their sturdy independence had been manifested from the first, in the incessant combats between the General Assembly and the Lord Proprietary. Probably the redemptioner, just set free, with his axe in one hand and his gun in the other, about to go to Frederick County to take up land, felt as free, and was more inclined to assert his feeling, than the gentleman on his baronial domain, with his English education, his polished manners, and his manly ways of life. But all classes had a proud spirit of personal independence and were steadfast in maintaining their rights. The old aristocracy seldom took the Tory side in the Revolutionary War; and the Tory Party in the State was almost entirely made up of the office-holding class, with the shop-keepers and Englishmen who had recently come over.

The Maryland colonists were not a well educated people, and it must be confessed they thought more of horse-racing and cock-fighting than they did of books. The first Catholic settlers were indeed men of high culture. Lord Baltimore and Father White were scholars in the fullest sense of the word; and the gentlemen who founded Saint Mary's were well-read. But the people who had so much forest to cut down had little time to spare for the school-master, and the earlier generations of Marylanders grew up in ignorance. People who wanted an education and had the means, went to England to get it.[1] But the greater part of the young Marylanders were more like Harry Warrington than like his brother George. Fox-hunting in the morning, and cards or dancing at night, left them little time for books. And, indeed, the libraries were few and meagre, even at Annapolis and on the great estates. John Beale Bordley had one, and so

[1] Stephen Bordley, elder brother to John Beale Bordley, and one of the most prominent, wealthiest and best educated men in the colony, had one of the best libraries and kept one of the best tables in Annapolis. His correspondence shows him frequently ordering a "pipe of your best Madeira, cost what it will," or a cask of champagne, or a cask or two, or a few dozen of Burgundy. His library went to John Beale Bordley, so long the prothonotary of Baltimore County, the proprietor of a lordly estate, an extensive and intelligent planter, and one of the most generous and noble Maryland patriots. No man better knew the colony or loved it more. He was educated in England, and, patriot as he was (he ceased raising tobacco, substituting wheat for it, in consequence of the Stamp Act, and established a brewery in order to escape buying wine in the London docks) was forced to send his sons "home," to Eton, for an education which was not to be had in the colonies. In 1766, we find him writing to his London correspondent, Edward Jennings, as follows: "A good school for useful learning is scarcely to be found on this continent. They have a college at (Williamsburg?) that spoils many a man—most of their youth are turned out in a hurry, with a smattering of pretty stuff; and without a solid foundation, pertly set themselves up as the standards of wit, and what is most impudent, of superior judgment."—*Memoir of the Bordleys.*

had Charles Carroll, Daniel Dulany, and men of that stamp, but our people were not fond of reading, nor have they ever become so. What Bacon said of religion in the colony, could be better said of education. It seems "to wear the face of the country, part moderately cultivated, the greater part wild and savage." There was a circulating library in Annapolis in 1764, kept by William Rind, but apparently only poorly patronized. The Act of 1704 provided for parochial libraries, but they contained only a few theological works, which the fox-hunting parsons carefully avoided. The newspapers were poor and mean. In 1775 there were but two in Virginia and two in Maryland, while Massachusetts had seven. Books were published by subscription, if at all. Those published in the colony were chiefly pamphlets on controversial subjects. Those who disliked the parish system and the clergy, used to read Shaftesbury, Bolingbrooke, or Tindal. The *Spectator* might be found in decent houses everywhere, and a few persons subscribed to the *Gentleman's Magazine.* Each country house, perhaps, contained some book on farriery and on domestic medicine, and a few had a copy of *Pamela* or *Clarissa Harlowe.* But the body of the people were illiterate, and showed it. The English speech in Maryland, and especially in country neighborhoods, deteriorated seriously. In the swamps of Dorchester County, the language came to resemble a mere gibberish. It was corrupted beyond recognition, by lapses, both in syntax and in spelling, and by the predominance of provincialisms. The language there is still full of dialectic deformities and vulgarisms; and is nearly as corrupt as the Germanized English spoken in remote parts of Frederick and Washington Counties. Yet this corruption of speech was not found among the educated classes, nor where the people had much intercourse with one another, as in the towns, on the bay, or along the great rivers. Eddis notes the homogeneousness of the popular speech[1] in contrast with the peculiar dialects distinguishing almost every county in England, whereas in Maryland, he says, "and throughout the adjacent provinces, a striking similarity of speech universally prevails, and it is strictly true that the pronunciation of the generality of the people has an accuracy and elegance that cannot fail of gratifying the most judicious ear." This he wonders at, assuming that such a heterogeneous population must needs have branched off into dialect, and corrupted the common English, whereas, the natural effect of the collision of many dialects is fusion into one common speech. Eddis, however, had little intercourse, save with the educated classes, who resorted to Annapolis from all parts of the province. He could not have visited the fishing districts and those where the redemptioner servants were preferred to the negro slaves. Master Eben. Cook's *Sot-Weed Factor*, albeit a "Satyr," may be presumed to present a more or less faithful picture of the manners of the rough farmers and fishermen of remote "Piscato-way," as they were when he visited Maryland, A. D. 1700. His volume, first

[1] Eddis' *Letters*, p. 59.

printed in London, 1708, in a folio of twenty pages, was recognized sufficiently in the province to be reprinted by Mr. Green, at Annapolis, in 1731, with the caution to the reader "that it was a description written twenty years before, and did not agree with the condition of Annapolis at the time of its publication." It was also parodied in 1731, at Annapolis, in a burlesque poem.[1]

Master Ebenezer Cook's *Voyage to Maryland* pretends to describe, in Hudibrastic verse, and with considerable acrimony, "the laws, government, courts and constitutions of the country, and also the buildings, feasts, frolicks, entertainments and drunken humours of the inhabitants of that part of America;" and it must be confessed his description differs materially from that of the courtly Eddis. The author came out to be what he terms a "Sot-Weed Factor," by what he means a tobacco factor, agent or supercargo; he was cheated and practised upon, and left the colony in disgust, to sing his experiences in rude but vigorous rhyme. He does not claim to have moved in the best society, but he encountered the men of the country, their overseers and their servants, and rudely outlines them as he saw them. We shall have occasion several times to quote Master Cook's "satyr." It is enough here to give what he says of the immediate matter in hand. He speaks of Piscatoway as that "shoar where no good sense is found, but conversation's lost, and manners drown'd." In his ride to the county town, he finds that his host's young son could "reason like a politician," although he "ne'er by father's pains and earning had got at mother Cambridge learning." In the session of the county court he discovers

> "A reverend Judge, who to the shame
> Of all the Bench, cou'd write his Name;"

adding, in a note, that "in the County Court of Maryland, very few of the justices of the peace can write or read." He pictures the coarse manners of the planters, and the rude riot kept up by the servants, slovenly men and sluttish women. He does not compliment the judges, but does give a pleasing picture of the placid hospitable content of the "cockerouse" or country person of quality. It is apparent from this book that a good many Indian words, and some of Dutch origin, were of familiar use in the common speech. The author of the "Sot-Weed Factor," though his volume contains only twenty-six small quarto pages, deems it necessary to append a vocabulary.[2] The

[1] *Sot-Weed Redivivus;* or, *The Planter's Looking-Glass.* In burlesque verse. Calculated for the meridian of Maryland. By E. C. Gent. Annapolis: William Parks, for the author; 1730. See the preface, by the late Brantz Mayer, to Shea's *Early Southern Tracts*, ii., which contains the original *Sot-Weed Factor.*

[2] In this glonary we are told that "cockerouse" is a man of quality; "chinces," chinches, bed-bugs; "froes," (fraus), women; "at the hoe," working in the field; "lanctle-looe," the game of loo; "night-rails," night clothes; "oost," host; "oronooho," tobacco, also a nickname, in those days for a planter; "sot-weed," tobacco; "succahana," water; "tripple-tree," the gallows; "country pay," signifies payment in produce of some sort, usually tobacco or commutable in that weed; "yaws," the pox; "goud," gourd which the planters turned to when the cider was gone; "kekicknitox," how d'ye do? "Virginia bells," frogs; "homine," is "a dish that is made of boiled Indian wheat, eaten with molassus or bacon-fat;" "syder pap," is made of syder and small homine; "to cave it," is to anchor safe in harbor.

manners, in fact, were those of a rude new-settled country, peopled with a class of adventurers, who were rapidly acquiring wealth, and, while hospitable to strangers, liked to practice pranks upon them. Neither literature nor education were likely to exist extensively among such a people.

Master Cook, however, draws the line sharply between the native colonists and the English gentlemen resident in the colony. This was in 1700, and it may be supposed that in 1770, after the manners of the colonists had been benefited by two generations of rapidly acquired wealth, that it was easy for them to become all that Eddis saw. In his time the colonial planters and gentry had all grown rich—as wealth goes in a new country—and Cook's pictures of the planters' manners no longer applied to this well-to-do, slave-holding aristocracy; but it did still suit the middle farming classes, owning only a few redemptioner servants, with whom they lived on terms of great familiarity, or at most two or three negro slaves. In this view of the case, the elegant refined ease of the courtly gentry at Annapolis, clad in velvet and laces, and conspiring to make that city in 1770 the most luxurious town in America, is not at all incompatible with Cook's portraits of the people who welcomed him when he put himself and his goods ashore at Piscatoway,

> "Where soon repair'd a numerous Crew,
> In Shirt and Drawers of Scotch-cloth, blue,
> With neither Stockings, Hat or Shooe.
> These Sot-weed-Planters crowd the Shoar,
> In hue as tauny as a Moor:
> Figures so strange no God design'd
> To be a part of Humane kind:
> But wanton Nature, void of Rest,
> Moulded the brittle clay in Jest."

In 1770 then, as we understand it, there was, *socially*, a distinctly aristocratic class in Maryland, a class comparatively large, wealthy, and some of them very well educated. Their fortunes rested on lands and slaves. They communicated with one another, but did not associate with the other classes. The cadets of these families furnished the lawyers, and generally the men who held places in the civil government of the colony. They had built themselves up by large land-holdings and extensive tobacco planting. They were comparatively a large class, for a colony of the population of Maryland, and they only associated with the English-born merchants, the representatives of the crown, the lawyers, etc. One part of this class, living up-country and secluding themselves more and more on their plantations, from lack of means for extravagance, as the culture of tobacco became less profitable, relapsed into the old sot-weed manners again and brought up their children in comparative ignorance, though on a good many plantations there were indentured servants who knew enough to become school-masters. In some sections the clergymen founded pretty good schools, such as that of the Rev. Thomas Cradock in connection with Garrison Forest Church, Baltimore County, now called St. Thomas'

Parish, but then the "chapel of ease" of St. Paul's Parish, Baltimore; King William's School, afterwards St. John's College; Rev. Thomas Bordley's School, in Cecil County; the school kept by Charles Wilson Peale's father, in Chestertown, and some others. In the towns, the burgher and mechanic classes received some schooling, but very little, and probably much more than half the population, not including the slaves, were totally illiterate and grossly ignorant. This applies to the children of the middle class farmers and planters, between whom and the aristocracy up to the time when the Revolution cemented all classes together with a common bond of union, there was practically no intercourse except at the hustings and at the county town on court days. They had their separate coffee-houses and taverns, and the line of caste was very rigidly drawn in the fashionable assemblies then so popular.

These circumstances and the fact that no real attempt had been made so far to popularize education, in spite of many legislative reachings that way[1] justify the conclusion that the people of Maryland were illiterate in the general average. As Hallam says, in his History of Europe during the Middle Ages, "the diffusion of literature is perfectly distinguishable from its advancement, and whatever obscurity we may find in explaining the variations of the one, there are a few simple causes which seem to account for the other. Knowledge will be spread over the surface of a nation in proportion to the facilities of education, to the free circulation of books, to the emoluments and distinctions which literary attainments are found to produce, and still more to the rewards which they meet in the general respect and applause of society. This cheering incitement, the genial sunshine of approbation, has at all times promoted the cultivation of literature in small republics rather than in large empires, and in cities as compared with the country. If these are the sources which nourish literature, we should expect that they must become scanty or dry when learning languishes or expires." The Province of Maryland had no general education, no free circulation of books, no emoluments and distinctions of literature. What little writing was done in the colony was in the shape of anonymous squibs, verses in the newspapers, or pamphlets on current political topics, such as the famous controversy between Charles Carroll and Daniel Dulany in regard to the stamp tax and the questions flowing out of this sweeping and well resisted assertion of prerogative. These were very clever and well done, but, from the nature of things, could have no general circulation. They were addressed to the educated class exclusively, and it was only when the substance of these was orally repeated that they affected the people properly so called.

[1] The legal provisions for schools were numerous, and may be seen in Bacon (*passim*). Thus, Acts of 1696, chapter XVII.; 1715, chapter IV., section 2; and 1750, chapter XXVI., relate to St. John's College. Acts of 1704, chapter XXVII.; 1723, chapter XI.; 1717, chapter X.; 1728, chapter VIII.; 1763, chapter XXVIII., etc., all relate to the revenue of schools provided out of export and import duties. Act of 1723, chapter XIX., provides for county schools, the nucleus of the old academies which, at one time, were so flourishing and so honored; and there were other regulating Acts in 1741, 1746, 1758, 1763, etc. These provisions established schools, but did not make education general.

It is interesting, nevertheless, to inquire into the sort of books that the educated classes amongst our forefathers read and esteemed. By advertisements in the Maryland *Gazette*, in the year 1770, we find that some American editions of English standard works began to be published, and the prices were not unreasonable. The printers of the *Gazette* issued this year their *Maryland Almanac*, "containing several instructive and entertaining pieces, both in prose and verse.—Price eight coppers, single." An American edition of Robertson's *Charles V.*, in three volumes, bound in blue boards, is published at one dollar a volume. The *Gazette* of Thursday, April 11th, 1771, advertises "Proposals addressed to those who possess a publick spirit. The real friends to the Progress of literary Entertainment, and to the Extension of useful manufactures in an Infant Country, the Promotion of which vivifieth Individuals and tendeth towards the Elevation and Enriching of THE LAND WE LIVE IN, are requested to observe that a handsome *American* edition of Hume's celebrated History of England, from the invasion of Julius Cæsar, to the Revolution in 1688, is now in contemplation to be published periodically by subscription, complete in Eight Volumes Octavo, at the moderate Price of One Dollar each Volume, sewed in blue Boards, *although the Quarto Edition is sold at Thirty Dollars.*" It was to be put to press as soon as three hundred subscribers should be obtained, and was "to illustrate the Excellence of Native Fabrication," etc. Patriotism, and pelf, perhaps, bore equal parts in this elaborate advertisement, which was the work of Robert Bell, the publisher, of Philadelphia. His agent in Baltimore was James McBeath, and Thomas Williams & Co., in Annapolis. The price of the work in sheep, lettered, was to be two dollars a volume, and "beautifully finished in calf," three dollars. At the same time an edition of Blackstone's *Commentaries* was advertised, four volumes at two dollars each; and the publication was announced of Adam Ferguson's *Essay on the Civil History of Society.*[1] Arthur Young's *Journeys and Tracts* were the most popular reading of the time among Maryland planters, and next to these, perhaps, the letters of Junius and the fiery diatribes of John Wilkes.[2]

[1] A curious illustration of what has been said in regard to the romantic histories of some of the redemptioners is afforded by an advertisement in the *Gazette* of September 4, 1771, which runs as follows; "To be printed by subscription. For the Benefit of an Injured Unfortunate. (Price One Dollar, half on Subscribing). Divers Particulars relating to Peter Egerton, the Descendent and Heir of Sir Ralph Egerton, who was standard-bearer to King Henry the Eighth and treasurer to the Lady Princess; elder brother of Sir Thomas Egerton, after Baron Elesmere, Chancellor of Oxford and Lord Keeper of the Great Seal of England under Queen Elizabeth: from whom Francis Egerton, the present Duke of Bridgewater, is decended: to which the Pedigree of the Family will be prefixed, from the Reign of William Rufus, King of England, down to the Author." etc. This high-born Peter Egerton was schoolmaster near Piscataway. The same number of the *Gazette* contains an announcement of the publication for subscribers by John Dunlap, of Philadelphia, of all the Poetical Writings of Rev. Nathaniel Evans, A.M., "Late Missonary in Gloucester Co., New Jersey, and Chaplain to the Right Honorable Lord Viscount Killmurray of the Kingdom of Ireland."

[2] John Beale Bordley, writing to his London merchants for law books in 1766, orders also: "Dr. Eliot's *Essays on Field Husbandry*; Mill's *Husbandry*, complete with Plates; Garrett's *Designs*; Young's *Six Week's Tour*. I have his other works."

The province produced no author, in the proper sense of the word, but the wits of the court circle at Annapolis wrote a great deal in an occasional way, pamphlets, squibs, letters "to the printer," "verses" and "addresses," and some of the letters were very bright. There is a little controversy in the *Gazette*, sometime in 1771, between two writers on the subject of clubs in general, and the "Homony" and the "Drumstick" clubs in particular, which abounds in witty expressions and happy give-and-take phrases. The roystering character of the social entertainments of these gatherings is very prettily satirized by the one writer, while the other retorts upon the dull vapidity of the mutual admiration clubs. We shall speak further of these clubs, a peculiar feature of the cultivated society of Maryland at this time, when we come to discuss more in detail the constitution of society. It may be mentioned here that the earliest and one of the best dramatic poems connected with the Revolutionary War period, was written by a Marylander. We have not been able to trace his name, but the author was educated at Princeton College, and dedicated his play to Richard Stockton, while Colonel Humphreys, the author of *McFingal*, wrote a prologue to it. The play was called "The Battle of Bunker Hill, a Dramatic Piece in Five Acts," and was published by Robert Bell, in Philadelphia, in 1776. It does not possess much merit, but is comparatively chaste and harmonious in style, and some of the characters are not badly drawn.

The letters "To the Printer" in the journals of the day, however, and especially to the printer of the Maryland *Gazette*, afford the clearest picture of what the Marylanders of a hundred years ago read, what they thought, and how they expressed themselves. Newspapers were not edited in those days, but only printed, and all comments upon affairs came from the outside, in the shape of communications, or as they were then styled, "letters" to the printer, signed "Manlius," "Junius," "Sempronius," "Brutus," and the like. Nearly every one was rounded up with a neat Latin quotation, from Flaccus or Virgil, or an apt English one from Shakspeare, Congreve or Mr. Addison's *Cato*. They were imitated from the *Spectator*, or the *Rambler* in style, *sed longo intervallo*, and were nothing if not dignified. Mr. Green had also a "well of Castaly" called "the Poets' Corner," in which the young Muses of Annapolis used to bathe their wings, and here were published epilogues and prologues and addresses, apostrophes to Miss Hallam, the actress, and many lame and halting verses of the Laura Matilda order. Now and then, but hardly ever, the muse descended to satire or humor, but was glad to get back to her cerulean heights again and soar the empyrean. Occasionally the prose letters took the form of broad and effective burlesque, over which we may imagine that the town laughed hugely.[1]

[1] Thus, when a palpable quack, who styled himself "The great and learned Doctor Sanxay, of London, First Physician to the Nobility and Gentry," had several times inserted his advertisement, a column long, in the *Gazette*, "published according to an Act of Parliament," and reciting the many virtues and the miraculous cures performed by his nostrums, a clever wag took him off in the *Gazette* in a still more flaming pretended advertisement, in which the arrival

THE No. 1.

MARYLAND GAZETTE.

Containing the freſheſt Advices Foreign and Domeſtic.

THURSDAY, *January* 17, 1745.

THE *Advantage of a* NEWS-PAPER, *whereby whatſoever is uſeful and entertaining, at home or abroad, is communicated to the Public, being ſo univerſally known, renders it unneceſſary to recommend a Thing of the Kind; however, ſince it might be look'd upon as unfaſhionable to appear one into the World, without a Word or two by way of Introduction, we ſhall, without tiring the Reader's Patience, and in as conciſe a Manner as poſſible, give ſome Account of our Deſign, which, however Laudable in itſelf, we muſt ſubmit to the Candour of the judicious Reader.*

OUR Intent therefore, is to give the Public a Weekly Account of the moſt remarkable Occurrences, foreign and domeſtic, which ſhall from time to time come to our Knowledge; having always a principal Regard to ſuch Articles as nearer concern the American Plantations in general, and the Province of Maryland in particular; ever obſerving the ſtricteſt Juſtice and Truth in Relation of Facts, and the utmoſt Diſintereſtedneſs and Impartiality in Points of Controverſy.

AND in a Dearth of News, which, in this remote Part of the World, may ſometimes reaſonably be expected, we ſhall ſtudy to ſupply that Defect, by preſenting our Readers with the beſt Materials we can poſſibly collect; having always, in this Reſpect, a due Regard to whatever may conduce to the Promotion of Virtue and Learning, the Suppreſſion of Vice and Immorality, and the Inſtruction as well as Entertainment of our Readers.

WE take this Opportunity of making Application to our Learned Correſpondents, whoſe ingenious Productions, if with ſuch we ſhall be favoured, will ever find a Place in this Paper, and lay the Printer under the greateſt Obligations; provided whatſoever is tranſmitted of this Kind, be conſiſtent with Sobriety and good Manners.

TO render our GAZETTE *uſeful, as well as entertaining, we ſhall preſent our Readers with the beſt Directions in the Culture of Flax and Hemp, eſpecially the former, in the plaineſt Manner; which we hope will be of public Advantage to the Community, in the preſent Situation of Affairs; when we can't always be certain of Supplies, and there are not to be had at all, but at ſuch Prices as the Generality of the People are not able to give for them.*

AS the proſecuting and carrying on an Undertaking of this Kind has been much wiſhed for, and long deſired, and muſt neceſſarily be attended with conſiderable Trouble and Expence; we doubt not of meeting with a due Encouragement from the good People of this Province, in a ſufficient Number of Subſcriptions, whereby the Printer may be enabled to carry on and continue it's Publication.

THOSE Gentlemen who are pleaſed to commence Subſcribers, may depend on the moſt ſafe and ſpeedy Conveyance of their reſpective Papers, by having them ſent to the Court-Houſes, and other the moſt public Places, of the ſeveral Counties in which they reſide; eſpecially where Want of Opportunity renders it impracticable to ſend them to the Houſes of ſuch Subſcribers.

THE Price of this Paper to Subſcribers, will be Twelve Shillings, Maryland *Currency,* per annum, *unſtamped; or Fourteen Shillings if ſtamped and directed. It will be Printed on a good Paper, and a beautiful new Letter, the ſame with this Specimen.*

ADVERTISEMENTS, of a moderate Length, will be taken in at the Printing-Office in ANNAPOLIS, *and carefully inſerted in this Paper, at Five Shillings each, the firſt Week; and One Shilling for every ſucceeding Week, ſo long as continued thereon.*

From the LONDON *Gazette, Auguſt* 28.

Ottendorff, Auguſt 24.

ON the 20th Inſtant, Prince Charles having Advice that 10000 Pruſſians had enter'd Bohemia, and that the reſt, 50,000, were marching through Saxony and Luſatia, and were to enter that Kingdom on the 24th, call'd a Council of War on the 21ſt, when he acquainted the Officers with this Intelligence; and that all the German Regiments in the Pruſſian Service, were to paſs the Rhine to join the Confederates, and to deſtroy our Bridges, and cut off all Means from the

But the "Letters to the Printer" were usually grave enough—there was not much flippancy in those troublous times, and the gentlemen of the period seldom inked their ruffles unless they fancied they had something to say. Thus, in this year, 1770, the burden of many letters was the shipment of prohibited British goods to the province, the exposures made by the active local committees, and the shufflings, evasions, final surrenders and humble apologies of the harassed merchants, who, not willing to offend their powerful correspondents in London and Bristol, were under a still sterner necessity to keep in the good graces of their fierce and truculent customers at home. Some of these letters are very curious, and often the merchants, smarting under a sense of loss, gave an epigrammatic turn and pungency to their flying shafts; but the colonists had always the best of the argument, because they could always send the cargoes back to England—no light matter, when the profits on such shipments were ordinarily cent per cent.

The "patriots," too, were active, while the circle about Governor Eden would not always leave their letters unanswered, and often excelled, as it is permitted to the losing party to do, in the pungency of their replies. Liberty and unity and persistent opposition to vicarious taxation are the burden of the one side; the other sings the song of loyalty and allegiance to the constitution of the empire. "A Patowmack Planter" replies to a "Friend of Liberty;" "a Forrester" to him, while "a Buckskin" often pricks pins into the "silk-stockings" of the aristocracy. "Y. Z.," who makes it "a matter of conscience to do justice to merit," inscribes a copy of verses to Miss Hallam, of Hallam & Henry's Company of American Actors, on her performance of Imogen—

> "Around her, see the Graces play,
> See Venus' wanton Doves;
> And in her Eye's Pellucid Ray,
> See little laughing Loves.
> Ye Gods! 'tis Cytherea's Face"—

and so on for a matter of twelve stanzas. Thus it was that our ancestors of a hundred years ago amused themselves, thus mingled in public affairs, thus wrote and thus replied.

In that day, the struggle with nature, which left man no leisure to cultivate the arts and amenities of life, no longer absorbed the people of the earlier settlements. The seat of that struggle had been removed to a region far west of the Monocacy, where hardy pioneers, like Captain

in this city is noted of "Ufga Bratzki Csher-nikow Tzetzetlu, a Samoied by Birth, Lama of the District of Ajuka in Muscovite Tartary, Fellow and Professor of Natural Philosophy and the Occult Science, in the Universities of Tobolski and Nastznifkoi in Siberia; who, after many long and laborious Peregrinations through almost every Country and Kingdom of Europe, Asia and Africa, has, now, last, to the utter Confusion of all the Advocates for a Northwest Passage, actually travelled, from the regions around the Arctic Poles, by Land, to this Metropolis; where, encouraged by the Success which, He learns, a Brother-Adventurer has lately met with, he proposes to exhibit, for the Entertainment of the Curious, some Specimens of his Skill, which, He humbly begs Leave to say, are *not in common*"—and so on for three columns of pretty good fooling.

Michael Cresap and his buckskins, still gallantly kept it up. In the parts of the State tributary to the bay and the great rivers, much wealth was to be found, ease, elegant leisure and the comforts and luxuries of refined society. It is true that on the outbreak of the Revolution, when the tories all left the colony, and all who were not tories, turned democrats, and either went into the army, or, like Cincinnatus, turned their hands to the plough, and imitated the severe simplicity of the rude ancient Romans, society suffered greatly. Tobacco planters, like Carroll and Bordley, became wheat farmers, and homespun was the only wear.

It was thought unpatriotic to import anything, even books, from the old country, and the belles of the assemblies made clothes for the soldiers, and lint and bandages for the hospitals. But there were still many influences at work to keep society refined and retain the spirit of letters. The old Maryland bar, a learned, active, intelligent body, full of force and of the greatest power, (for we were a litigious people, and lawyers grew rich rapidly) almost to a man espoused the colonial cause, which, though it lost a Dulany, was more than compensated in retaining a Tilghman, a Carroll, a Paca, a Stone, a Jennings, a Hollyday, a Key, a Martin, a Sprigg, a Rogers, a Johnson, a Bordley and a Chase. These exerted a strong conservative and preservative influence upon society. They were well trained in the English common law, in all the traditions of the English bar and all the usages of the best society, and they did not permit our customs and manners to be at once dragged down to the shop-keeper's level. Annapolis fell off in consequence, while the active traders and "pirates" of Baltimore grew rich and absorbed the commerce of the bay in the products of the back country, but Annapolis still preserved her pride of place and her lead in courtly manners. The old exclusive assemblies were still maintained, where, in spite of the growing tendencies towards Democracy, the subscriptions were kept at £3 15*s*., and the minuet was still danced in all its solemn state. The tradesman and his wife went to the tavern bar and kitchen in 1770 as of old, while the parlor and the club room were reserved for gentlemen. Class distinctions in dress were then as sharply marked as ever before, and a man's rank was perfectly well defined by the clothes he wore and the seat he occupied in church. Many old English customs besides were still observed in all their primitive simplicity. The caudle cup was drained at birth, the slipper was flung at weddings, and clergymen wore their gowns on all occasions. If they were sometimes snubbed at the rich man's table, they revenged themselves by making Hodge doff his cap and Nancy curtsy to them at every meeting.

Though at this period non-intercourse had partly begun, and a deep-seated hostility towards the mother-country was felt by all classes, and especially by those who loved the soil and had faith in its productiveness of men as well as things, yet still, they all called England "home." They were governed by English laws for the most part, and instinctively followed British customs, modified, to be sure, by time, distance, and circumstance, yet

English at the root. The magistracy was still as grave, reverend, and dignified a body as if it were presided over by the lord-lieutenant of some English county, and enforced its grandeur by fines, suspensions, and imprisonments upon the slightest suspicion of contempt or indecent liberty. The vestry power was a strong one, and though badly and defectively exercised, owing to the corruptions of the clergy, who would rather fox-hunt than enforce the laws, who neglected the ordinance of baptism to seek good dinners, and who encouraged illiteracy and permitted polygamy as readily as they traded in advowsons, it had a good, conservative influence on the community in the remote country sections. The towns revolted against this vestry system, and practically repudiated the yoke of Episcopacy, affiliating themselves with Presbyterianism, or some other form of dissent; but the parish priest had great power up to the time of the Revolution, in all the country neighborhoods, and on the whole, exercised it for the benefit of the community.[1]

In regard to schools, several notable ones were set up in the province at different dates, but the first Free School Act was that of 1723, chapter XIX.[2] This, as we have seen, provided a per capita tobacco tax for the support and maintenance of country and parish schools. These schools were, perhaps, the nucleus out of which our excellent county academies grew; but at that time they did not work well nor make rapid progress, except in the infrequent cases when the clergyman of the parish was a man of piety and learning and able to take charge of the school himself. The school-masters were a low and dissolute set, more than half of them being redemptioners and servants. They had Latin and Greek enough, perhaps, but were of the "hedge priest" class, drunken in habits, severe and capricious in discipline, and teaching in a rude, irregular way. Some parish schools, and some private ones, happily rose considerably above this standard. We have enumerated a few of these latter, and other schools are worthy to be mentioned.[3]

[1] The numerous reports to the Bishop of London, who had general charge of the Church in the colonies, and whose ordinary travelled several times in this province, are evidence to the fact that Episcopal affairs were very badly administered in Maryland, that a large number of the clergy were totally unfit for their places, and, in short, that there were as many transported priests and clergymen as there were of the other trades and professions. Upon this point, see Dr. Hawks' *History of the Church in Maryland.*

[2] Bacon's *Laws* of that date.

[3] In the *Gazette* of January 5, 1769, John and Sally Stott propose to open an English school, where English, writing, arithmetic, book-keeping, mensuration, knitting, sewing and sample-work on catgut and muslin are to be taught in an easy and intelligible manner. June 8, same year, a lottery is advertised to raise $600 "for compleating and finishing the Reformed Calvinist church, and building a school-house in Sharpesburg, Frederick county." October 12, 1769, John Stevenson, of Baltimore, advertises a parcel of healthy indented servants, just imported, amongst, along with bakers, weavers, hatters, farmers, is one school master. November 23, 1769, another lottery, to raise $900 for a public school in Frederick county, is advertised. December 14, William Hutchings opens school in Annapolis, at Mr. Cannon's house, on Market street, "where will be taught, after the most approved Methods (with Care and Assiduity), Reading, with Propriety; Writing, in various Hands; Arithmetic, Vulgar and Decimal, in all its Branches; Extraction of the Square and Cube Roots; Biquadrate, etc." Mensuration and "the Inculcation of the Principles of Virtue and Morality, *as well as the other Branches of Literature.*" January 3, 1770, Samuel Culbertson and Thomas Bell announce that they propose to open a Classical and Mathematical school in Annapolis, as soon as the holidays are over. The advertisement

The school fund was derived from a tobacco tax, partly invested in land, and from a tax of twenty shillings per poll laid upon each Irish Catholic servant and each negro slave imported into the colony. There was also a three pence per hogshead tax on exported tobacco, of which one-half went to schools. It was pretty well administered, except in the choice of teachers, of whom there were few good ones to select from. A part of the income of Washington College at Chestertown, and St. John's College at Annapolis, came from forfeitures and from marriage licenses. Some boys of wealth were received by clergymen (as by Parson Cradock) to fit them for college, and the learned and pious Boucher, rector of a parish in Prince George's Parish, Maryland, at the time, was selected by Washington to be the tutor of his ward, young Custis, and to accompany him to Europe. Custis, however, preferred to marry and go upon his plantation, and in 1775, Boucher, who was a strong loyalist, returned to Europe.

It will be noticed throughout this sketch that education was restricted to classes, that girls had scarcely any, and that there was at once a lack of system in teaching and an absence of sympathy on the part of the people with the attempts to establish a general plan of free schools. This was due to several causes, but chiefly perhaps to the fact that the Established Church, with all its power of vestry rule and of taxation, did not possess either the regards or the confidence or sympathies of the people; and the schools being made subservient to the church's control, shared in the disfavor with which it was regarded. The drunken and licentious teacher was thought to be the natural concomitant of the drunken and licentious clergyman, with this difference, that the former could be removed, while the latter could not, no matter what his crimes or vices. He held under the Lord Proprietary and the Legislature and vestry might investigate and accuse him, the commissary of the province under the Bishop of London try and convict him, but he could not be removed by any one, for his holding was an advowson.[1] The school-master was not respected under such circumstances, nor was he often able to command respect by his own private and particular virtues.

opens with the well-known quotation from Ovid—

—"*Ingenus didicisse, fideliter artes,*
Emollit mores, nec sinit esse feros."

June 15, 1770, the opening of a public Grammar school at Bladenburg is announced. This school is to teach Latin, Greek and Hebrew if required. The master is James Hunt, A.M., V.D.M. September 24th, John Chisholm, advertises his English, Latin and French school, at Elkridge Landing. At this time also, Alexander Irving appears to have had a Latin and French school above Georgetown in Frederick county. In October, 1763, *the* free school at Annapolis was broken into, and the master's bed room robbed. For the recovery of his wardrobe, which was not of a very clerical cut, he offered a reward of two pistols. He named a superfine blue broadcloth frock coat, a new superfine scarlet waistcoat bound with gold lace, one blue ditto, ditto, a pair of green worsted breeches, lined with dimity, a brown hat, almost new, fine new cotton stockings, two pair fine, plain shirts, one old ruffled shirt, pumps, doeskin breeches, &c., all showing that he was not ill-clad, at any rate. But the income of few of the county schools at this time exceeded £100 a year, while some of the parishes paid their rectors over £1,000 a year.

[1] See Dr. Hawks' *History of the Church in Maryland* for a full discussion of this matter, which he accuses as the fatal mistake and worst scandal of the Provincial Church.

The ignorance, the vices and the lack of influence of the clergy in the Province of Maryland is an old story, but one which will always be told when a clerical "establishment" is forced by law upon a submissive but unwilling people. In Maryland this story begins as far back as Hammond's *Leah and Rachel* (1656), when this writer was employed by Governor Stone to "write up" the colony and produce a good impression in its favor, in order to stimulate immigration. "The country," he says, "is reported to be an unhealthy place, a nest of rogues, whores, dissolute and rooking persons; a place of intolerable labour, bad usage and hard diet, etc. . . . . . They then began to provide and send home for gospel ministers, and largely contributed for their maintenance. But Virginia savouring not handsomely in England, very few of good conversation would adventure thither (as thinking it a place wherein surely the fear of God was not,) yet many came, such as wore black coats, and could babble in a pulpit, roare in a tavern, exact from their parishioners, and rather by their dissoluteness destroy than feed their flocks." This, said of Virginia, much more nearly applies to Maryland, where the establishment, legalized and given supremacy, was never quite naturalized, never in a majority, and had to combat an active union, from the very first, of the Catholics with the Quakers and the other dissenters. In Virginia the clergy, bad enough still, were in some measure purified and purged; but, as we have shown, the holder of an advowson under Lord Baltimore was not amenable to any but criminal law. The canon law could not remove him, nor could the Lord Proprietary who had sold him an advowson, a parish, in other words, producing so many thousands of pounds per annum of tobacco. Nor had the Lord Proprietary any inducement to make good appointments; but on the contrary, from 1664 onward, every motive which resentment against the establishment, and sympathy with its opponents could afford, to select inferior persons. Even after the parochial system was legalized and made compulsory, it was said that some Presbyterians were found in the Eastern Shore pulpits, and could only be forced out by the test oath, to avoid which they did not indeed resign, but merely farmed out their parishes. The relations between the people and the clergymen of the Established Church were naturally not healthy. The Catholic priests were numerous, active, and devoted. They probably made more proselytes than could be safely avowed. The churchmen were generally lazy and looked to their own ease in their benefices. Thus, not long after the Act of Establishment, a pestilence (as will be found related elsewhere) broke out in the lower counties. The rectors stayed at home, the Catholic priests were found in every afflicted house, and made many converts, whereupon the rectors made official complaint to the legislature to have this illegal business stopped. Again, just before the Revolution, the great Methodist leader, Asbury, having been arrested and fined, went into retirement, whereupon some of his disciples took his place. One of these, Mr. Chew, was brought before a sheriff of one of the counties and required to take the oath to the new rebel government. He replied that

Some were notoriously immoral; some utterly incompetent, and the laity either sneered or were shocked. "Fanaticism, deism and licentiousness," says Dr. Hawks, "still found a wide field in which they worked effectually." George Whitefield, the famous preacher, when he came to Baltimore in 1740, found "a sad dearth of piety in Maryland." The Rev. Thomas Bacon, the learned and laborious compiler of the Laws of Maryland, who had a parish in Frederick County, writes to the Society for the Propagation of the Gospel in foreign parts, that "infidelity has indeed arrived to an amazing and shocking growth in these parts. And it is hard to say whether it is more owing to the ignorance of the common people, the fancied knowledge of such as have got a little smattering of learning, or the misconduct of too many of the clergy." He adds: "In this unhappy province, where we have no ecclesiastical government, where every clergyman may do what is right in his own eyes, without fear or probability of being called to account, and where some of them are got beyond the consideration of common decency, vice and immorality as well as infidelity must make large advances."[1] Doctor Chandler, who came to the province in 1753, during Governor Sharpe's administration, wrote to the Bishop of London that "the general character of the clergy, I am sorry to say, is most wretchedly bad. . . . It would really, my lord make the ears of a sober heathen tingle to hear the stories that were told me by many serious people of several clergymen in the neighborhood of the parish where I visited." Another letter to the bishop from a Maryland rector gives the history of a brother clergyman who had just been inducted. Dr. Hawks found it at Fulham, among the American archives. The priest was an Irish vagrant who had strolled from place to place on this continent, now in the army, now school teaching, now keeping a public house, now marrying and next abandoned by his wife, always in debt, always drunk, always absconding, he is yet, without any change of character or manners, inducted into holy orders, and sent to Maryland, where he is drunk in the pulpit and behaves otherwise so disgracefully that finally he flees the State of his own free will.

This is a sorry condition of things. It has lasted nigh a hundred years. It is attended with a rapid spread of other denominations through the State, as well as a rapid increase of unbelievers. The Methodist appear. The Catholic churches spread into the Western part of the State. The Presbyterians, German Lutherans, Baptists and Quakers, all make headway. Meantime, from 1720 up to the Revolution, there is war and bitter hostility between the people and the Established Church. On one side is the church, sometimes allied with the Proprietary Government, sometimes at war with it; on the other are the people, the legislature, the great lawyers and leaders. These are not hostile to the Church of England, for they are members of

[1] Bacon's own domestic life has not escaped scandal. He married, when late in life, a woman who was the wife, only half divorced, of another man, and was involved in troublesome litigation in consequence.

that. It is only the lop-sided, the "bastard" establishment of Maryland, as Dr. Hawks calls it, which they hate and assail. The first of those attacks is led by Stephen Bordley, a brilliant lawyer of Annapolis, and himself the son of an Episcopal clergyman, who was anything else but the demagogue that Dr. Hawks calls him. The last was headed by the still more brilliant Daniel Dulany, who, for church and king gave up his birthright and property in this country. They struck at the Maryland Established Church because it was the embodiment of injustice and falsehood—weak, corrupt, prostituted, and the foullest of libels upon the principles of toleration which lie at the root of our colonial and State existence.

The laws from 1692 are saturated with "clericalism"—with unfair and oppressive legislation for the benefit of these disreputable clergymen whose gross lives we have touched upon. The "forty per poll tax" was one of the worst pieces of unjust class legislation ever attempted. It taxed Catholics, Quakers, Dissenters, not only for the support of this disreputable clergy, but to build them churches, buy them glebes, fence their church yards for them, etc. The people not of the church must have flamed with anger every time pay-day came around. No wonder they paid in "trash" whenever they could, and evaded, truckled, swindled and lied as often as they got the opportunity. Such laws foster such vices, and, if they do not exist, create them. The forty per poll was not the only tax of the sort levied for the benefit of "Holy Church." Special taxes of tobacco for church building are abundant enough in Bacon's Laws.[1]

In 1724, hemp and flax were made legal tender the same as tobacco, but not for the forty per poll tax that went to the clergy. The county justices were compelled to collect this forty per poll tax in special ways, so that it was made as onerous as possible. Vestries were authorized to assess parishioners for the completion and repair of churches. No lay marriages were permitted or allowed to be legalized, and finally, in the general tax-list, even in war times, beneficed clergymen and paupers were the only persons exempt.

The effects of this class legislation are still to be seen upon our statute book. There is no other way to account for the declaration of our bill of rights, "that the levying of taxes by the poll is grievous and oppressive, and ought to be prohibited," than by attributing it to the inherited recollections which our people still cherish of the forty pounds of tobacco per poll. Pennsylvania had no such tax, and her people now willingly pay a poll tax, finding it neither grievous nor oppressive. So likewise Articles 37 and 38 are

[1] Thus, 20,000 pounds of tobacco is assessed to build a church in St. Stephen's parish; 20,000 pounds *additional* for Durham Church, in Charles county; £280 additional for St. Stephen's; *three* assessments of £133 6*s.* 8*d.* each to build a chapel of ease for Garrison "forest" inhabitants of St. Paul's parish, Baltimore county (the church now known as St. Thomas', on the same ridge with the block-house in the Soldiers' Delight); £200 for Queen Anne's parish, Prince George's county; £250 for King George's parish, same county, with another assessment for the same parish of £800; Christ Church parish, Calvert county, 80,000 pounds of tobacco; All Saints' parish, Prince George's county, £300;—but the list is endless.

certainly adumbrations of, and reflections upon, the old statutes collected in Bacon's Laws. They are standing protests against the bad legislation which evil influence procured in the old colonial times; and their force is all the greater that they are unconscious protests.

The effects of all that has been said on this subject were fully apparent in 1770, the date assumed as the centre point around which this chapter revolves. The church at that time was richest, but its power and influence were gone. There were forty-four parishes, many of them populous and extensive. All Saints' Parish, in Frederick County, was estimated to be worth £1,000 in 1770.[1] This writer cannot understand the colonists' opposition to having a bishop. He cannot understand why the establishment is itself in disfavor. He cannot comprehend why Rev. Bennett Allen, who afterwards murdered Lloyd Dulany in London, should have been mobbed for attempting to become a pluralist. He, and those like him, could not comprehend why the Catholic Church, without increasing in number and wealth, should have grown so much in influence in these times; why the Quakers, in spite of taxes almost amounting to confiscation for their non-resistance policy in war times, still throve; why all classes of dissenters, and especially Methodists, Baptists and German Lutherans, spread so rapidly. The people, used to ill-read service and dull written sermon, flocked to hear these marvellous preachers, these Asburys and Strawbridges, who prayed without book and preached without manuscript; who went on horseback to the people instead of waiting for these to come to them; who lived on $60 a year,[2] and never said a word about advowsons and forty per poll, about personal livings and fat glebes. Eddis could not understand any of this, but the people of Maryland could and did, and, while Asbury was a stanch loyalist, all his Maryland hearers were fighting patriots. If there was nothing else to get rid of, there was the crass weed of "established" Episcopacy, with its tyranny, its incompetency, its corruption and its forty per poll.

We have shown that the manners and morals of the people were bad, that there was nothing in the external surroundings or internal circumstances of the colonists, in either their government, their education or their religious training, tending materially to ameliorate them. Let us now see how bad the public manners and morals were, and how the laws attempted to deal with them. It is hardly an exaggeration to say that the history of the province of Maryland can almost be written entire, without adventitious aid, from the Rev. Thomas Bacon's invaluable compilation. Here you see the people growing and expanding, making religions and coining, or pretending to coin money, obeying or resisting prejudice and reason in rapid alternation; punishing their conception of crime and rewarding their notions of virtue. You see them developing side by side their opinions in regard to toleration and restriction, framing sumptuary laws and subduing the wilderness after their

[1] Eddis, p. 49.

[2] Asbury s salary was $64 and travelling expenses.

own notions. It is a various and enticing picture, fascinating because so true while so various. It is a small section out of the history of the great world.

Thus, in 1661–1662, we find that the currency begins to be depreciated before many laws are even passed for the arrest and punishment of crimes. The great currency of the colony, up to a short time before 1770, was also the staple crop, tobacco. Yet in 1661, a silver currency, of nine pence to a shilling, was created; and the next year the people were ordered to buy ten shillings per poll of their taxables of this sophisticated coin and pay for it in good casked tobacco, at two shillings per pound. This hard measure was repealed in 1676, but it was only the first of a long series of arbitrary acts in regard to currency, one of the most fruitful sources in every people of discontent, extravagance and crime. In 1729, the scarcity of gold and silver was so great, that to encourage their importation, the provincial duties were made payable in sterling, with a premium of 33⅓ per cent. over currency, and an allowance of 25 per cent. in exchange. In 1731, an attempt, which failed because the Lord Proprietary's consent could not be obtained, was made to issue paper money in bills of credit to the extent of £30,000. In 1686, the attempt was made to "regulate" the value of coins, just as contemporary congressmen seek to do. New England shillings and sixpences were to pass as sterling at an advance of three pence per shilling. French crowns, pieces of eight and rixdollars to circulate at six shillings each; ducatoons at seven shillings six pence; all other gold and silver coins at the advance of three pence per shilling of twelve pence sterling. Officers' fees were to be paid in these coins (the export of which was prohibited) at six shillings per one hundred pounds of tobacco, the latter being thus still recognized as the standard of values and the only real currency of the province. It was made criminal, indeed, in several statutes, to refuse the tobacco tender. If the tender were refused, the goods were to be viewed and appraised by two disinterested freeholders, who were explicitly directed in the law how to proceed, and if the tender proved to be an honest one and was again rejected, the debt was to be deemed discharged. The early use of tobacco saved the colonists much trouble from the complications of wampum, and their currency also had the great advantage of being always exchangeable for goods. But still they could not refrain from tampering with it, and from finally substituting an irredeemable currency for it. In 1708, the rates of exchange, always fluctuating with the varying value of the staple, were set arbitrarily by law.[1] In 1733, there was an issue of paper money to the value of £90,000 American currency, which was much more than the province really needed, but part of it was paid to taxables for "trash" tobacco burnt by them to enhance the value of the better qualities; £3,000 was spent on a governor's house, not

[1] The dollar or piece of eight, of Seville, Pilar or Mexico, weighing 17½ pennyweights, and having the intrinsic value of 4*s.* 6*d.*, was to pass current at 6*s.*; *dog* dollars to pass at 4*s.* 6*d.*; Dutch three guilder pieces, at 6*s.* 11*d.*; cross dollars, at 4*s.* 10*d.*; ducats, at 7*s.* 4*d.*; leus or silver louis, at 6*s.*; and crusaderes, at 3*s.* 9*d.*

loudly called for; £500 in each county for a jail, and £500 in repairs on public buildings. Under the Act counterfeiting was made punishable with death, but benefit of clergy was not denied. This paper was made legal tender for all debts, contracts, fees, and levies, except (note it again) dues to clergymen and the forty pounds per poll. Tobacco fines and penalties were commutable in these bills, at the rate of ten shillings per one hundred pounds, and customs dues at a discount of 33⅓ per cent. below sterling. The sinking fund for the redemption of this loan consisted of a duty of one shilling three pence sterling on all exports of tobacco, payable in bills on London, so that the tobacco planters really paid 33⅓ per cent. premium for this loan, after being obliged to take the bills at a discount for home uses. And they had the actual currency in hand all the time, in the shape of their tobacco crops. Such is a fair instance of the legerdemain which people sometimes submit to, and call it by the delusive name of Finance!

The colonies very often played tricks of this sort upon themselves, and it is probable that if they had let the exchanges persistently alone and rested content with bartering their crops for cash, goods, or hard money, their receipts for tobacco would have yielded them an average of ten per cent. more per annum, from 1640 to 1770, than they really received. The province would have profited greatly by this, since nearly all its fines and dues were payable in tobacco, which, as the reverend clergy were swift to perceive, was the safest and most stable currency that the province had or could have, and it always had a value in exchange for gold that was very near its value in exchange for goods such as the provincials required. But they did not see this, any more than they recognized and adopted the best fiscal system. This latter also was narrow, obstructive, costly, and roundabout in many particulars.

The colony taxed exports, which tax the colonists had of course to pay. It also taxed immigration, which it needed more than anything else, and especially the bond and slave labor, which enabled it to produce tobacco to the greatest advantage. It prohibited the export of such articles as hides, hemp, flax and corn, and levied export duties on pork, pitch, flax. It one year forbade the export of horses and geldings, and they increased so rapidly in numbers that it had to take strong measures to check the production of these animals. It prohibited debts from being paid within certain months of the year, and exempted from distraint the goods of active laborers in the "back woods." It forced the planters' servants to do military duty, but exempted men in holy orders, delegates, magistrates, constables and negroes. Trading with servants without the master's permission was fineable in the sum of 2,000 lbs. of tobacco. It required import duties to be paid in powder and shot, but only allowed wheat flour to be imported in time of dearth. It admitted English rum free, but taxed Pennsylvania rum 9*d.* per gallon. It imposed export duties, for the support of free schools, upon furs, beef, bacon, etc., regulated the "striking" of fish and the assemblages of negroes, laid a

3*d.* per hogshead export duty on tobacco, for general expenses, and a 3*d.* per gallon export duty on imported liquors, for the repair of court-houses, free schools, bridewells, etc. In 1695, with the view apparently of obstructing the trade of the Chesapeake, and which would have greatly profited the Maryland planters, if ships that came for tobacco could have brought inward freight, the legislature laid duties amounting to 10 per cent. upon all European commodities re-exported from the province.

In 1754, the colony, after appropriating £6,000 to aid Governor Sharpe in his Indian Wars, laid a series of war taxes by which £40,000 were eventually raised. This was in the shape of a license system, under which peddlers were taxed £4 a year, carriages 5*s.*, seven-year servants 20*s.*, indentured servants 5*s.*, negroes 10*s.*, Madeira wine 2*d.* per gallon, while ordinary licenses were put at 20*s.* In 1756, in the peril in Braddock's time, the province borrowed £40,000 to build a fort and four block-houses on the western frontier, to carry on an expedition against the savages, to engage the assistance of the Southern Indians and to pay for scalps or prisoners taken from the hostiles, £10 per head, dead or alive. The bills thus issued were retired by heavy excises, including a tax on bachelors over twenty-five years old pro rata of their estate, at the rate of 5*s.* for estates under £300, and 20*s.* for those over £300, and a land-tax of 1*s.* per 100 acres, to which 100 per cent. was added if the owner then were papist.[1] At about this time the Provincial Legislature embodied all former laws on the subject in a most elaborate and explicit "tobacco code," which is most interesting, as showing how completely the "sot-weed" entered into and more or less regulated every relation of life. Of this, more will be said further on. Both Maryland and Virginia, when the price of the staple seemed low, used to adopt the Dutch policy of destroying "the trash" or inferior grades; and, as the governments or the clergy usually got the most of this, the regulations disordered the finances materially.

Legislation of this crude sort on money, revenues and taxes, naturally makes one curious to know what sort of laws were passed to regulate public morals and provide for the peace of the land and the convenience of the people. The "negro code," which was begun about 1650 and not completed until 1860, did not distinguish between black and white servants until the negro slaves outnumbered the white servants and redemptioners. Then it gradually increased in details and severity, until it became a model of that sort of law-making. At first negroes were not prohibited from bearing arms, and "turned out" with the other militia in the earlier Indian Wars. In the end, negro assemblages were forbidden even on Sundays, and constables authorized by the law to break them up with the lash. A negro who struck

[1] This bachelor tax was general, not special for the benefit of particular parishes, as some have supposed. It shows the wealth of Annapolis at that time, that thirty-four gentlemen are shown by the vestry books of St. Anne's parish to have paid this tax, the larger number paying tax on values above £300. The expenses of this war and the disputes about how to raise revenue for it, did much to estrange the people with the proprietary and the "home" governments.

a white person was to have his ear cropped. Persons encouraging negro meetings were to be fined 1000 lbs. tobacco. Owners letting negroes keep horses were fined 500 lbs. tobacco and the stock confiscated, while outlying negroes were to be shot if they refused to surrender. At one time they were manumitted by the Act of Baptism, eventually their issue became perpetually slaves upon the slightest offense, and free negroes who had immoral intercourse with white women, or mulattoes so guilty, were to be sold as slaves. To facilitate the hanging or other punishment of negro culprits, the owners were to receive payment for them in full, in case of conviction. Clergymen who married negroes or mulattoes to whites were to be fined 5,000 lbs. of tobacco, while the negro or mulatto so marrying became slave for life.

Servants by indenture, "custom of the country," or hire, could be taken up as runaways if found ten miles from home without a note from their master.[1] In order to encourage the capture of these runaways, it was the custom to advertise them, with a reward for their apprehension, both by handbills and advertisement in the newspapers. These advertisements afforded the best business the newspapers had. Each advertisement was inserted about six times in the Annapolis *Gazette* for instance, and that paper, for the nine or ten years over which its columns have been carefully searched for this chapter, shows that the average of *new* advertisements of runaways exceeded three to each number, that is to say, over 150 runaways were advertised every year. Of these runaways less than a third appear to have been negroes, and not more than that convicts, the rest indentured servants and redemptioners. The masters were perfectly safe to advertise their runaways, since the reward was recouped to them out the servant's time, the county court allowing ten days' additional service for each days' absence. Thus, sheriffs, deputies and wood rangers were kept busy all the time; nor could anyone safely harbor runaways, for there was a fine of 100 lbs. of tobacco for every hour that such runaway was entertained, even unwillingly, and a severe whipping for every servant or slave who harbored a runaway. Persons dealing with servants or slaves without written consent of masters were fined 2,000 lbs. of tobacco. Servants stealing their master's goods are to be adjudged felons, whipped, pilloried, and fined four-fold the value of the goods in additional servitude.

The law of 1723, chapter XVI., which embodies the substance of several previous laws, on the subject of blasphemy, is very severe, typical, in fact, of the Colonial Criminal Code. The offender who shall be convicted of this crime, consisting of wittingly, maliciously and advisedly, by writing or speech,

[1] In the *Sot-Weed Factor* there is a curious illustration of how universal this system of passes was. The author goes ashore on first arriving, and naturally, strolls about, put to flight by a wolf, while in a wood he hears a female voice shrieking—"You rogue, drive home the steers!" He looks up and beholds a youth driving a drove of cattle, who at once accosts him by asking "from whom he'd run away." The author, thereupon, whips out his sword; at which the servant quickly changes his tune and invites Master Cook home to his master's, a rude but hospitable planter, who entertains him with cider, "cider-pap," a hearty supper of pone, milk, mush and hominy, served in wooden dishes.

blaspheming or cursing God, or denying the Saviour's divinity, the Trinity or the Godhead of any of the three Persons, or their unity, or uttering any profane words about the Trinity, is to be bored through the tongue and fined £20, or imprisoned for six months, for the first offence. For the second offence, he is to be branded B in the forehead and fined £40, or imprisoned one year; and for the third offence shall suffer death, without benefit of clergy.

Coiners were to be whipped, pilloried and cropped for the first offence; for the second, to be branded in the cheek and banished. Cursing or profane swearing in the presence of any magistrate, minister, county clerk, vestryman, coroner, churchwarden, or other public officer, was to be punished with a fine of 2*s.* and 6*d.* for the first oath, and 5*s.* for every succeeding oath. Persons drunk in the presence of such dignitaries are to be fined 5*s.* for each offence. If these fines are not paid, the offender is to be put in the stocks for three hours for each offence, or receive not to exceed thirty-nine lashes. If the officers before whom offenders are punishable for these offences should themselves commit them, they to be fined 10*s.*; showing that the law, in this case at least, was a very proper respecter of persons. Fornication and adultery were punished much more severely by the Act of 1715, than by that of 1749, which repealed the section in the former Act by which the adulterer who failed to pay his fine, was to be whipped on the bare back till the blood came. But both Acts are essentially clerical in their origin and tendencies. The vestry, minister and church-wardens were made the public prosecutors and judges also in these cases—frequent enough in the province—and the fines went to county and parish uses. Where there was bastardy, the father or mother were to give security for the maintenance of the infant derelict, or stand committed.

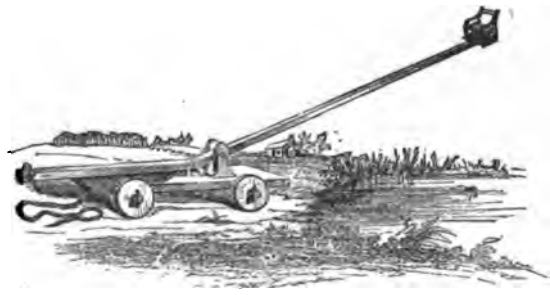
Horse-stealing was punished with death without benefit of clergy, and so were burglaries of dwellings, warehouses, or tobacco-houses. "Ingrossers" were doubtless looked upon as greater rascals than horse-thieves. These monopolists or "speculators," as we call them now, who ventured to buy or make "short" or "long" contracts for goods or servants with intent to sell the same again within six months, thus forestalling the tobacco market and "squeezing" the poor planters, who never had money to embark in such nefarious transactions, were to be imprisoned for two months, and lose the value of their goods, for the first offence. For the second offence, six months imprisonment and a fine of double the value of the goods; and for the third offence, to stand in the pillory, be imprisoned twelve months and "forfeit all their proper goods and chattels," Persons guilty of usury were to forfeit treble the value of the money involved in the transaction, *one-half to the informer.* Under this characteristic law, any scoundrel who could borrow £1,000 from his neighbor at 7 per cent. might, by laying information, tax that neighbor $3,000, and make for himself $1,500—$500 more than the amount of the note which was the *corpus delicti.*

The law against the poor debtor was very severe. In the first place, if he absconded, seemed to do so, or to intend to do so, he was deprived of all benefits of the rule of limitation of action. He could be imprisoned at the discretion of the court, until he satisfied the process against him. He could not get away from the province, except upon a pass, nor could he get that pass without giving security to the governor and council for the payment of all his debts, or else by setting up notice *for three months in advance*, on the court-house door of his county, of his intention to depart. Then, if nobody underwrote the notice, by obtaining a certificate from the clerks of the provincial and county courts, a pass might be granted to him. Perjury was punished with a fine of £40, or a year's imprisonment and standing one hour in the pillory. Subornation had half this penalty annexed, and, if the suborner had not the money, he was to be set in the pillory and have both ears nailed. Forgeries or any sort of falsification in connection with the inspection of tobacco, were punished with thirty-nine lashes and two hours in the pillory. The penalty for Sabbath-breaking was a fine of two hundred pounds tobacco, and where the offender kept an ordinary, a fine of two thousand pounds. To counterfeit the great seal of the Province, or the sign manual of the Lord Proprietary, or any other public seals, or fraudulently to use them, in any way, involved forfeiture of goods, lands, etc., whipping, the pillory, and perpetual banishment. Any justice of the peace might commit any private person and detain him till he furnished proof of being a taxable and free person. Thieving and stealing were punished by paying four-fold, by restitution of the goods, by being whipped and pilloried. If the four-fold could not be restored in kind, it must be made good in servitude.

This was a severe code, but not more so, perhaps, than those of contemporary England and New England. The severity of such laws is always mitigated by the infrequency of conviction under them, except of certain classes of offenders. In Maryland, these laws were enforced as against the convict, indentured servant and redemptioner classes, but the gentry and planter classes were usually above their operations. This was not always the case, however, and in the earlier, more primitive days of the colony, the laws were at once more severe and their enforcement more rigid. By the Act of 1638, chapter XVIII., "Treasons against the Province" were punishable with burning for a woman, hanging, drawing, and quartering for a man, and beheading for a lord of a manor. Among these "treasons" was counterfeiting the king's seal, or his coin, and conspiracy against the Lord Proprietary or his deputy. If the next Act, against felonies could be examined,[1] the same amelioration of punishments in later times would

[1] In an Act for the punishment of certain offences against the peace and safety of the province, the party offending was liable to punishment with imprisonment during pleasure not exceeding one whole year, fine, banishment, boring of the tongue, slitting of the nose, cutting off one or both ears, whipping, branding with a red hot iron in the hand or forehead—any one or more of these, as the Provincial court shall think fit. This was six years later, in 1647.

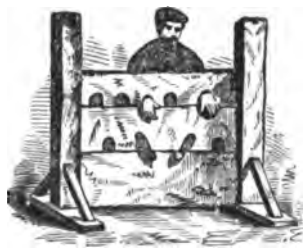
probably be discovered. So in 1641, chapter VI., it was made felony of death for a servant to run away from his master. So the well-known Act of 1649, chapter I., made the first offence of blasphemy felony of death. The first Acts providing for the erection of a prison at St. Mary's, providing irons in each county for burning malefactors, and erecting a pillory, stocks and ducking-stools in each county, were passed October 3d, 1663. The ducking-stool, however, for scolding women, was peculiarly a Puritan punishment. It was probably very seldom resorted to in the colony—at any rate, the Act providing for it was abolished in 1676, chapter XXI., together with a great many other Acts of the Puritan regime. The stock, the pillory, the whipping-post with its handcuffs, and the branding-iron were "institutions" of the time, and for a long while after remained, with the gallows, the ugliest spectacles, while also the surest evidence of civilization.



THE DUCKING STOOL.

About the central date of 1770, the evidence abounds of the active employment of all the cruel punishments named above.[1] The stocks, the pillory and the gibbet did not pass out of vogue in Maryland, in fact, until about 1810, when, following the impulse given to the science of punishment by Bentham and his school, we adopted the penitentiary system and then began to build the Maryland penitentiary. Previous to the construction of that building, and after the War of Independence had necessarily done away with the sale of white convicts into labor, the usual punishment of convicts, after the preliminary whipping and pillorying was done, consisted in putting them in the chain-gang to work on the public roads, or, as it was popularly called, "sending them to the wheelbarrow." The convicts worked in gangs on the roads, chained by the ankle, and sometimes the waist also, and guarded by armed overseers. At night

PILLORY.



STOCKS.

[1] Our ancestors considered that the greater horror they could excite by the severity of their punishment, the greater check it would be to crime. Thus, offenders were publicly exposed in the most frequented thoroughfares, where their ears were nailed to the pillory and cut off, being whipped afterwards through the public thoroughfares, having his tongue bored with a red hot iron, or his nose slit, or being branded with the initial letter of the offence

they were housed in "block-houses," at convenient distances, along the road. "I have often seen them," says a venerable gentleman, writing on the subject, "at work in this manner, presenting a spectacle which would not now be endured."

The sudden abolition of slavery, however, has compelled the revival of the chain-gang system, both in Georgia and Virginia, and it seems to be endured there well enough. The chain-gang did much to prevent the constant resort to stocks and pillory, but they were still used. The pillory was resorted to for the last time in Maryland, in Baltimore, in 1819, and the stocks and whipping-post were entirely abandoned about the same time, but the gibbet and the hanging in chains was kept up later, in the case of a few notorious criminals, such as pirates and highwaymen, who robbed the coaches carrying the United States mail.

The last pillory and whipping-post in Maryland were in Baltimore, upon the precise spot where the Battle Monument now stands, and forming, in fact, one of the main posts of the underpinning of the old forgotten court house, after the bank of earth on which it stood was cut away, and the back stairs of the venerable seat of justice no longer ran

for which he suffered: "S.L.," for seditious libeller, on either cheek; "M.," for manslaughter, or "T.," for thief, on the left hand; "R.," for rogue and vagabond, on the shoulder; and "P.," for perjury, on the forehead. In Fog's *Weekly Journal* of June 12th, 1731, we learn, that, on "Thursday, Japhet Cook *alias* Sir Peter Stringer, who was some time since convicted of forging deeds of conveyance of two thousand acres of land belonging to Mr. Garbett and his wife, lying in the parish of Claxton, in the County of Essex, was brought by the keeper of the King's Bench to Charring Cross, where he stood in the pillory from twelve to one, pursuant to his sentence. The time being near expired, he was set on a chair on the pillory, when the hangman, *dressed like a butcher*, came to him, and, with a knife like a gardener's pruning knife, cut off his ears, and with a pair of scissors slit both his nostrils; all of which Cook bore with great patience, but, at the searing with a hot iron of his right nostril, the pain was so violent that he got up from his chair—his left nostril was not seared; so he went from the pillory bleeding." The most general form of whipping was what was called "flogging at the cart's tail," when the criminal was tied to the back of a cart, slowly driven, and flogged through the town by the common executioner, attended by crowds of idle vagabonds. In 1745, a negro man in Talbot county was sentenced to have his right hand cut off, to be hanged, and then quartered, for the murder of his overseer. In 1747, another negro was executed, in Annapolis, for horse stealing. At Baltimore county assizes, 1748, an old grey-headed man was convicted of blasphemy, his tongue was bored through, and he was sentenced to remain in jail until he had paid the fine of £20. At Queenstown, Queen Anne's county, September, 1748, a man stood in the pillory with the word "cheat" on his back, while he was pelted by the populace. His crime was reducing a peck measure below standard. In the same year, a prominent citizen of Talbot county stood in the pillory, and lost an ear for forgery; and a negro's ear was cut off because he struck his overseer. In 1751, Jane Sewell and John Hart, for stealing, were burnt in the hand. In 1753, John Barrett, wife murderer, was executed, and then hung in chains on a gibbet near Baltimore. In 1755, in Charles county, for perjury, a negro girl was flogged and had her ears cropped close. Passing over twelve years, we find in the Maryland *Gazette* of 1767 six executions for burglary; in 1770, two at Annapolis, for burglary. The *Gazette* for January 17th, 1771, says: "Last week, at an especial court held here for the trial of sundry criminals, three persons received sentence of death, one of them for murder, the others for burglary. One criminal was burnt in the hand, two ordered to be whipped and stand in the pillory, and three were acquitted." The *Gazette*, the next week, announces that Michael McCoy, the murderer whose conviction is noted above, after his execution, was hung in chains on a gibbet hard by the scene of the murder.

straight down the hill to Jones' Falls.[1] Underneath this building, one above the other, was the pillory and the whipping-post, a two-storied instrument of justice. Here, in 1819, the last man was pilloried in Maryland,

THE OLD COURT HOUSE AND POWDER MAGAZINE.

for a revolting crime. The last man publicly whipped in this State was a postmaster, convicted in the U. S. Court at Annapolis, of tampering with the mails. There was no whipping-post at the time in the town,

[1] Under an Act of Assembly passed in 1768, Messrs. J. B. Bordley, John Ridgely, Jr., John Moale, Robert Adair, Robert Alexander, Wm. Smith and Andrew Buchanan, were appointed commissioners to build the Baltimore County court-house and prison in Baltimore Town "on the uppermost part of Calvert street, next to Jones' Falls." In pursuance of this Act, the court-house was erected on a bluff overhanging the falls, precisely where the "Battle Monument" in Monument square now stands. It was two stories high, and built of brick, and tapered off in the centre of its roof with a tall lookout and spire, terminating with "a weather cock and the points of the compass." The jail in those days stood higher up on the hill, about the site of the granite record office, while the powder house was in the declivity east of the court-house, and near the original bed of the falls, at the southeast corner of Lexington and Calvert streets, with a small wharf in front of it to which boats from the shipping came for powder during the Revolutionary War. The late Robert Gilmor, in a letter addressed to the Maryland Historical Society says: "The water here was deep and once a man was drowned there." He also says, "that he learned to swim, and often dived from the banks in front of this edifice," about the present southeast corner of Calvert and Lexington streets. The low swampy flat embraced by the horse-shoe curve of the falls in this neighborhood was called "Steiger's Meadow," the name it was commonly known by to a very late period. The commissioners were directed to sell the court house and prison at Joppa, the courts being accommodated in the meantime in the hall erected for public assemblies over the market house, which stood near the northwest corner of Gay and Baltimore streets, and the prisoners lodged in a log building, near Mr. Chamier, the sheriff's house, on the east side of south Frederick street. The subscription towards building the court-house amounting to nearly 900 pounds currency, chiefly by inhabitants of the town, did not reconcile the people on the north and east sides of the county, and the removal of the records by Mr. Alexander Lawson was attended with some violence and outrage. In the grading of Calvert street the

but the Judge, Samuel Chase, holding fast by the old order of things, had the convict tied up to one of the columns under the portico of the State House, and the punishment inflicted.[1]

The history of the Provincial Government, as we have seen, from the meeting of the first assembly of freemen, has been the history of a long contest between the people and the proprietary, and between the proprietary and the crown in which, though the people did not always gain, the proprietary in the end invariably lost. And yet it was not such a bad government after all, the government which was evoked out of all these many overthrows, this incessant turmoil and confusion, if we view it at the moment when Governor Sharpe had departed, and Eden, the brother-in-law of the scapegrace Lord Frederick, (who, whether he be rightly described by Smollett or not as regards his career at other European courts, had certainly been indicted and tried in London for a disgraceful crime,) was just arrived, visiting and making himself comfortable. Robert Eden had not the fine manners and popular ways of Sharpe, but he evidently was pleased with the cordial, profuse and lordly hospitality of the Marylanders, which he fancied intended for himself alone, and he thought the colony a good place to live in. He proved that by coming back to die in Annapolis after the Revolution. He knew that

bluff overhanging the "Falls" about forty feet on which the court-house stood was to be cut away, but it was very much desired to save the court house. Mr. Leonard Harbaugh, a zealous craftsman of Baltimore, pondered over the matter, and finally persuaded himself, and afterwards the Town Council, that he could preserve the favorite building by leaving it twenty feet in the air, after all the adjacent earth was taken away. Mr. Harbaugh knew what he was about, and successfully accomplished, in the face of that incredulous world which dwelt upon the banks of the Patapsco, this daring achievement. The old court-house, with its magnificent arch below, that gave it something of the air of a house perched upon a stool, the whipping-post, pillory and stocks which stood in front of the arch, with a most malignant aspect of admonition addressed to the loafers, rowdies and petty thieves of that day. But steeple and arch were both fated to follow the common fate of all sublunary creations, and on the 27th of January an Act was passed by the Legislature "to provide for the erection of a new court-house," and in 1809 the present court-house was finished, and the old one taken down with the buildings to which they belonged, and except in the page of the annalist, became as things that never had been.

[1] For some of the above facts and for a good description of the old Baltimore Pillory, we are indebted to an unpublished letter from Hugh Davey Evans to George Lynn Lachlan Davis. The letter, describing the old court-house, which was pulled down in 1819, and the middle space left by the underpinning of the building, says that the centre post of this underpinning, was a "sort of cylinder six or eight inches in diameter and fifteen to sixteen feet high. It perhaps helped to support the floor of the court-house. It was divided into two stories, so to speak, by a hexogen or octagon platform, of which it was the only support. The upper story held the pillory, the lower comprised the whipping post. The transverse piece of the pillory was formed of two strong planks, one on each side of the post. The lower one was fixed and the upper could be lifted up upon a hinge. Where the boards joined were holes made by cutting out semi-circular pieces from each plank, a large one in the middle to admit the culprit's neck and smaller ones for his wrists at the proper distance, one each side to hold him uneasy by keeping his arms somewhat inconveniently extended. When his neck and wrists were placed in the lower holes, the upper plank was let down upon them and remained fixed by its own weight, so that he could not change his position, which must soon have become very painful. There was another of these fixtures on the opposite side of the post. The whipping post below was furnished with irons somewhat like handcuffs, to fix the wrists of the sufferer and prevent him from changing his position while undergoing the lash. The stocks were made on the same principle as the pillory, except that they held the culprit's ankles, he sitting down and the upper plank being locked down after his legs were inserted." The date of this letter is June 22, 1866.

the shame of Lord Frederick was against him, and that the peremptory sale of the proprietary estates, which was just then being completed and closed out, had broken almost the last link between the Calverts and Maryland. The bar sinister in Harford's succession still further attenuated the bond. Still, he sought to ingratiate himself with the people in every way, even by diligent and personal attention to business in all its details, and by attempting to redress every grievance, except the great grievance of all, which, before he had been in the province many weeks, he knew could not be redressed except in one way. Eden surrounded himself, in his council, with some of the best men in the colony, and the governor and the assembly exchanged addresses and replies, and then, when the ceremonial part was over, each went his own way, proceeding to business in earnest. The business of the assembly, and the men associated with it, was to build up as rapidly, strongly and coherently as possible, the elements of a new government in the colony, one that would be ready to take the place of the old one when that went to wreck, as it must soon go. The business of Eden was to do what he could to keep the province and all the other colonies as long as possible from drifting to the reafs where all saw they must eventually strike. The substance of power they knew was already pretty much gone, but its shell remained, and that was so profitable that the question of how much longer it might be retained was an important one. The patronage of the government was enormous, and such was the wealth of the province, recently growing so rapidly, that all offices had become profitable. And then, as the issues between loyalist and patriot sharpened up by degrees, men and families began to select their sides, and Eden found that he actually had a party about him, a party consisting not only of placemen, and those who expected office or lived upon the crumbs that fell from official tables, but also of those genuine deep-rooted old families, who, from a fine spirit of self-sacrificing loyalty, had made up their minds, when the final struggle came—much as they desired to put it aside—to be found among the king's party at whatever cost.

There was a hard-headed merchant class, too, who were loyalists from a business point of view, since they believed that democracy and liberty meant small sales and fustian clothes—indeed, it was already the custom among the patriots to affect homespun attire. But the contest had not yet actually begun, and was not advanced enough for men to prognosticate when it would come. Meantime, until it did come, the two sides, like swordsmen who know that they must soon battle in mortal combat, maintained relations of the most distinguished courtesy with one another. Eddis shows, in his careful letters, that there never was more gaiety in Annapolis and throughout the State, than at the time of and just after his arrival. The social whirl resembled, of course on a reduced scale, the giddy excitement of Paris just before the outbreak of the great Revolution, and the cause was probably the same: men took their delight to-day because they knew not what to-morrow might bring forth.

Here, then, seems to be the moment to glance at the relations between the government, the society, and the peculiar institutions of Maryland, before the old province bursts the chrysalis and reveals itself a new State. With the going down of the old province, there will be more than a mere change of government. There will be a social upheaval. There will be a change of husbandry. There will be a change of manners. There will be all that great amount of changes, in fact, which is implied in the translation of the centre of power, wealth, interest and impulse, from aristocratic Annapolis to industrial, democratic Baltimore. Slowly and gracefully at first the flaunting aristocracy go down, but here is just the period when their decline begun. It was just at this moment, for instance, that the transition from tobacco culture to wheat culture began—the transition, namely, from a husbandry in which slave labor is more profitable, to one in which free labor is more profitable. The meaning of such a change is tremendous. We scarcely have learned how to understand and appreciate it yet, but then was the time when it begun.[1] Now, the old Province of Maryland rested on tobacco. It owed its existence to tobacco. There is a pretty oriental poem upon the one hundred and fifty uses of the palm-tree, to the man who pitches his tent at its roots, but tobacco was of a more extensive use, and more intimate and multifarious relationship to the Marylander, than the palm to the Arab. It neither supplied food to him nor fodder to his beasts; it could not yield him roof-timber nor fire-wood. He had to shelter, watch over, nurse it at every stage of growth and curing, for never was there a more tender plant or one subject to a greater variety of plagues, diseases, and disasters, than the *nicotiana tabacum*. The perils which environ it are incessant, and every one deadly. The problem is from a seed almost microscopic in size, finer than the finest rifle powder, to produce a great ellipse of a cured leaf well-known to commerce, and which, tested by the most critical experts in the world, shall be declared up to quality in texture, color, body, smell, oiliness, perfection of cure, etc. The grapes of France suffer from but two diseases, the oïdium and the phylloxera; the vines grow merrily all the year round, till the vintage is ripe, then the grapes are gathered and pressed, the must is drawn off and the wine

[1] It was in 1770 that John Beale Bordley moved to his portion of Philemon Chew's estate of Wye or Paca Island—a farm of 1,500 choice acres—and almost instantly began the cultivation of wheat, as a substitute for tobacco, which he found could not be grown equal to that on the western shore, to such, for instance, as he himself had raised on his plantation near Joppa. It was in 1772 that John and Andrew Ellicotts—English Quakers of Devonshire family, whose father Andrew emigrated to Bucks county, Pennsylvania, in 1730—having examined, on horseback, the country between the Patapsco and the Blue Ridge, and found it a fine wheat section, bought a mill-site on the Patapsco, some miles above Elkridge Landing, and persuaded Charles Carroll of Carrollton, the great lord of the manor thereabout, owning thousands of acres and constantly buying more, to grow wheat instead of tobacco, promising that if he did so, they would erect mills of sufficient capacity to take all his crop and that of his tenants. Thus, at a stroke, as it were, immense tracts of the choicest land were taken from tobacco culture and devoted to wheat. How much land Mr. Carroll owned we cannot estimate, but not less than ten thousand acres in contiguous tracts, while of Bordley's holdings, such as we know, the Wye farm contained 1,500 acres, the Fancy 900, the Fairley 600, Pool's Island 234, and besides, there were other farms in Kent, two in Harford, others in Cecil, "Barrey's inheritance," "Clegget's forest," etc.

proceeds to make itself; and yet your Clos Vougeôt comes from but a single vineyard, and the vintages of some years are incomparably superior to others. "Prime" tobacco is produced every year in thousands of hogsheads, and yet the vicissitudes to which "the crop" is exposed are startling. The preparation and sowing of a tobacco "seed-bed" is a process as elaborate as the making of pillow-lace; yet the weather, the fly, a dozen other accidents, may absolutely defeat your prospects of a supply of plants. Then, how many vicissitudes environ the prospect of getting a "season" such as will ensure a "stand." And when the stand is got and your field filled with growing plants, it requires more watching than a greenhouse full of orchids. Your eyes must be all around you, overhead to watch the sky, on the ground to see that the hoeing and weeding are done rightly. You must watch the plant to see that the worm does not devour it; it must not be allowed to blossom, it must not be allowed to blow over nor yet be hilled up too high—any mistake here will detract from its commercial value. The moment when to cut is always an anxious one—too soon or too late are both almost fatal. But, when the crop is safely housed the planters' troubles only just begin. The curing process is a dreadful mystery—the "firing" always a hazardous experiment that may result in a worthless "show" or a burned tobacco-house. Then the bulking, the heating, the sweating, the selecting and assorting—all most complicated processes, in which any error means loss. Not until June comes, until seventeen months have elapsed, are the planters' troubles over. Then at last he brings his crop to market, has it sampled, and sells it for half the price he expected to get for it.

But, for all this, Virginia and Maryland in 1770, sold 110,000 hogsheads of merchantable tobacco to England, and got the money for it, cash down, the means by which they could buy every material thing they wanted in this world. Maryland's share that year was worth over £300,000 in Bristol and London—a great deal of money for exports at that time. To lay that crop down in Bristol and London required the employment of an immense machinery, but, as tobacco was the seed, so also it was the means. It was the "staple" of Maryland in a broader sense than any other staple the world has known. For, in the ancient province, all the processes of government, society and domestic life began and ended with tobacco. The old Maryland tobacco code, as finally formulated in the Act of 1763, chapter XVIII., is one of the most curious specimens of legislation extant. It is entitled "an Act for amending the staple of tobacco, for preventing frauds in his Majesty's customs and for limiting the fees of officers," comprises one hundred and fifty-three sections, and affords an instance of how such a staple may not only regulate a people's conduct and habits, but become part of their thoughts, and even enter into their dreams. The Lords Proprietary took their quit-rents, their fees and donations in tobacco. Every officer of the government, from the governor down to the jury and their bailiffs, were paid in tobacco. Wages of all sorts were paid in tobacco; so were customs dues and the

clergyman's salary. If you wanted to be married, you had to go to the rector of your parish and pay him so many pounds of tobacco. Your wealth was estimated in annual pounds of tobacco. It was, in fact, the only currency of the country, and all the large commercial transactions were conducted in inspector's bills (warehouse receipts for inspected tobacco of named quality already in store and in the custody of the province's sworn inspectors) which could always be exchanged (at a discount, of course) for good bills in London, because they represented actual merchandise in hand and in bond. Here was a basis, right to their hands, of a paper currency of the best sort in the world for banking—small notes issued on a deposit of inspector's bills—and it has ever been a wonder why the Provincial Assemblies did not establish a real credit currency on this basis, in which the demand for tobacco, a steady and increasing one, would force the redemption of the notes at par—instead of attempting the old impossible problem of an irredeemable currency as a substitute for real money.

But tobacco went deeper still into the fabric of society. All the laws were made more or less with reference to the staple, to protect it, to maintain its value in price, to enhance its easy exchangeableness, so that many of the civil, and some of the criminal processes, were sensibly colored and affected by it. In wild Western regions, where a man's life often depends upon his horse, it is the common law of society that the horse-thief is an outlaw whom any one is justified in shooting on sight; so, in Maryland, where tobacco was the staple, tobacco was protected and defended against some of the common usages of society, instead of *vice versa*. Its purity was more fiercely defended than the chastity of woman, and the forger of an inspector's note was to be whipped and pilloried. Debts in tobacco were protected over debts in coin, and judgments, bonds and mortgages might be both given and paid in tobacco. The man who burned a tobacco-house, or aided and abetted others in the arson, was to suffer death without benefit of clergy. No tobacco could be sold unless inspected; and to open a hogshead, whether inspected or not, and take any out was felony, to be punished with whipping, the pillory, and restitution fourfold. Before inspector's notes were contrived, tobacco in bulk was a legal tender, and, if the tender was refused, the debt was cancelled. The sale of "trashy" tobacco was prohibited under penalty, and the informer got the fine.

The effects of exclusive tobacco cropping, under the old Maryland system, were undeniably bad. It led to slovenly husbandry and the continual taking up of new lands, which not only yielded, even in their roughest state, the largest crops, but produced also tobacco of the best quality. When land was so cheap as not to be a material factor in the question, he who had the most hoes at work was the best man. It is to this that we owe the large importations of convicts and negroes into the province. Unquestionably, tobacco made Maryland a slave State, and much poorer than she would otherwise be. It led to the extravagant factor credit system which has done so much to ruin our planters, just as it is now ruining the

cotton-planting negroes of the South. Under the old system, the ships used to arrive out all at once, in convoys, between May and July, when the crop was ready for market. Then there were two or three months of jollity and frolic, when all the crop was sold and all the purchases for a year were made—a sort of Bartholomew Fair, attended with great riot and disorder, and bargainings, in which the planter usually came out second best. We have already quoted the "Sot Weed Factor," on this arrival of the ships. In the journal of Sluyter and Dankers is a ludicrous account of how, just as the missionaries arrived at a plantation, news came of the arrival of a ship at the mouth of the creek. Instantly the strangers were abandoned by everybody, except only an old crone, who could not get away, and was too lame to prepare them anything to eat. The entire population had turned out to go down the river to meet and trade with the ship. When the system of warehousing and inspector's bills was adopted, the planter would simply consign his whole crop, each year, to his factor and commission merchant, for sale; it paid the latter to advance money on the next year's crop, and the planter usually accepted the favor to its utmost limit. When he had spent two or three years' crops in advance, the factor took a mortgage, and usually ended by taking the plantation and the negroes also. No man can live within his means on such a system, and the profuse hospitality of the planters, one of their virtues most often trumpeted—it is a pleasing and generous one—resulted only too commonly in the impoverishment of their children.

Is not this "sot-weed" influence to be traced in the government at Annapolis, and in the society there, at the time of which we write? In 1771, we find John Beale Bordley writing thus to his friend and kinsman, Jennings, in London: "Foppery, idleness, and dissipation are striding briskly on to bring about a general change of proprietors for our land; the increased cargoes of trash this year imported is astonishing. We must all, from being plain planters and really independent men, turn our eyes to the court, and gape and beg for places!" It was Eden's as it had been Sharpe's policy, to encourage this sort of thing, for, when people are absorbed in these fribbles, they do not talk or think of politics. The universal tobacco culture favored this, for a plantation of negroes could really be better managed by an overseer without the presence of an indulgent master. Hence, it had for some time been the fashion for those throughout the province who could afford it—and for a good many who could not afford it—to have their town house in Annapolis and spend the time taken up by the session of the legislature in an incessant round of gaieties. Much more was spent than time, for gambling was then universal, and the play was high. It was so easy to stake a hogshead of tobacco or a negro upon a single throw. There was much extravagance likewise, both in dress and entertaining, and this reacted unfavorably upon the government, requiring public officers to receive higher salaries and increasing the expenses of administration. Fees were very heavy, especially

lawyers' fees. Every lawyer of any standing at Annapolis got rich early in life, and the quantity of land which they all owned might lead one to suppose that they sometimes took a client's plantation—*faute de mieux*—for a retaining fee. That so learned a profession should not only take tobacco, but the very land upon which it was grown, not in lieu of money but *as* money, is testimony of the most convincing sort to the hold which the "sot-weed" had acquired upon the confidence of the community.

It had been Lord Baltimore's plan to found a truly aristocratic State, upon the basis of manorial holdings, the law of entail, long leases and many difficulties in the way of transferring land. The tenure of land was cheap and easy, especially for him who took it in large tracts, and land was not taxed. Privileges were bestowed upon the privileged classes. The lords of the manors could hold courts-leet and courts-baron on their own estates, and this was done, sometimes, upon some of the larger manors. The members of the privy council, together with the Lord Proprietary or Governor, could sit upon the bench of the high Provincial Court, whose functions were analogous to that of the British King's Bench. Gentlemen were also distinctly recognized as a class, and from them the county court judges must be selected, the sheriffs and the upper magistracy. They were entitled to be addressed as Esquire, and were expected to be holders of landed estate. The smaller land-holders and tenants were styled master, and were either freeholders or tenants on the manors. All the landless, under Calvert's original plans and arrangements, were people in servitude. Redemptioners and indentured apprentices, when their terms were served, were expected to buy or rent land, to hire servants, and become *tax-payers*. The distinction between *taxables* and *tax-payers* was an important one, entirely aristocratic in its intentions. Every productive head in the colony was taxed, or rated, but only the employing classes and land-holders paid the taxes. Each employer and land-holder was *assessed per poll* according to the number of taxables he had in his care, and it was Calvert's original plan to have each tax-payer *vote* also as many polls as he was assessed for.[1] But, as we have seen, this system failed from the beginning. Calvert's lords of the manor and burgesses repudiated at the start his borough system. They did not believe in conducting a free State upon the joint-stock principle, so that a man's consequence in it was to be measured by the number of shares (*i. e.* polls), which he held in it. And, if the system had not broken down *then*, it would have certainly done so later, when the negroes began to be largely imported, and the planter, with a hundred black slaves, could cast ten times as many votes as the sturdy backwoodsman, who was cutting his path through the wilderness with nine stalwart "buckskins," his own sons, swinging axes by his side.

But tobacco did Lord Baltimore's system a worse hurt yet. It converted what he meant to be an aristocracy of land, and hoped would become one of

[1] See Davis' *Day-Star*, pp. 143-44, note 4.

merit, into an aristocracy of mere wealth. With tobacco subordinating everything else to it, the pushing, driving, harsh and cruel overseer, who put his earnings into slaves and convicts, and took new land in Prince George's, or Kent, or Baltimore Counties, (and in a still greater degree, later on, in Frederick County) could, in a very few years, outstrip in wealth and influence the rather *fainéant* but gentle-tempered planter of St. Mary's, with his thin lands, his extravagant living, and his easy, careless husbandry. These people, when they waxed rich, must come to court too, to Annapolis, and make up for their lack of manners by the increased scale of their expenditures. They attracted about them a swarm of parasites and adventurers, the very scum of the broken-fortuned rooks and harpies of London. Their greed and arrogance tended also by increasing the quantity and profits of litigation in the colony, to increase the sharp, bright, well educated, quick-witted lawyer-class, which in 1750–1770 made the Maryland Bar the first on the continent. The reflex action of all these elements was felt in the government and society of Annapolis at the time of which we write. How else could such a rude, unprincipled, vindictive brawler as Bennett Allen, a university man, it is true, and a man of wit and resources, have been able to get himself appointed at the same time to the best two benefices in the gift of the proprietary, and have dared to attempt to brazen it out with the public so as to hold on to St. Ann's Parish while making fast to All Saints' likewise? Under what other state of things would he have dared remain in Annapolis so long after being found out and exposed? A false aristocracy succeeded to the leadership of the true, and, while there remained many of the old genuine sort, they were either gone into retirement to their plantations in disgust, or had entered into a senseless competition with the *nouveaux riches* which could result in nothing but the wasting of their estates.

The advance in fees and salaries may be estimated from one or two facts. Bordley enriched himself by sixteen years' service as Prothonotary of Baltimore County, at Joppa. Some of the fat parishes, where, when Dr. Bray was commissary, the rector was glad to get £60 a year, now paid £400 and £500. Delegates to Assembly were paid, in 1649, fifty pounds tobacco and about ten per cent. additional for travelling expenses. By the Act of 1716, their pay was one hundred and forty pounds tobacco and travelling expenses. In 1770, the pay was eight shillings sixpence sterling per diem and mileage. His lordship increased his demands for assistance, for benevolences, for subsidies, too, at the very time when his revenues from rents and sales of land were augmenting largely. It is even probable that the younger Charles, Lord Baltimore, Frederick, and Harford, got out of the colony by fees, land sales, perquisites, and the exchange of reciprocal favors, as much as the first Lord Baltimore, Cæcilius, and Benedict Leonard, had sunk in founding and sustaining it. The government, even in Sharpe's and Eden's time, was always active on the side of privilege, and its course in the proclamation of the old forty per poll, when the amendment to the vestry act had expired by limitation, caused

an excessive irritation. What the people thought of the last Lord Baltimore may be gathered from the terse sentence in which the Annapolis *Gazette* announces the fact that he had certainly been indicted and tried for rape, but had escaped conviction; and later when it coldly announced his death at Naples. In fact, there was no further question about his lordship. The County Palatine was virtually at an end. Both Eden and Sharpe were recognized to be the agents, not of Baltimore, but the crown. And as, in 1637, the earliest recorded Act of the Burgesses is the rejection of a code of laws sent over for its government by the Lord Proprietary, so now, as soon as the issue was joined between the colony and the mother-country in the question of local home government, the colony responded—February 23, 1764—to the claim of the empire to impose duties without representation, by offering *bounties* as offsets. This Act, passed just at the time of the Stamp Act—which the colony meant to resist, and did resist until it was repealed—is one of the most significant in our history. It was not defiance, it was not retaliation, it was independence. It asserted the right of the people of Maryland to legislate for themselves, as the first step toward denying the right of others to legislate for them.

Eddis, who was a good superficial observer, and careful in his statements, took early note of the hollow truce between government and people. He was an appointee, not of the proprietary, but of the home government, and desired to retain his seat in the place of the customs, if he could. But he apparently lost all hope in a very short time. In his second letter, October 1, 1769, written when he had been in the colony no more than a month, he says: "The colonists, if the information I have received may be relied on, attend with a jealous eye to the conduct of their respective governors; and to every regulation in the parent State, which relates to their external or internal interests." He adds, "they are perhaps too ready in taking the alarm, whenever they conceive any measure in agitation which may lessen their importance, embarrass their trade, or render them more dependent on the mother-country." "I am persuaded," he says finally, "whenever they become populous in proportion to the extent of their territory, they cannot be retained as British subjects, otherwise than by inclination and interest."[1] Eddis appears at first to have been convinced by the keen lawyers of Annapolis with whom he conversed, that taxation without representation was not only unconstitutional, but that persistence in it would result in rebellion. "There are," he says,[2] "many restless spirits, who are evidently industrious in fermenting divisions and exciting jealousies; and unless wise and *constitutional* measures are *immediately* adopted, there is too much reason to apprehend consequences of a serious and alarming nature." Again, he says,[3] speaking of the Tax Acts, "that he hopes his correspondent will soon acquaint him of the total repeal, at the next session of parliament, of Acts

[1] Eddis' *Letters*, p. 16.
[2] *Ibid.*, p. 56.
[3] *Ibid.*, p. 61.

which are offensive without yielding any revenue of consequence, and which the colonists think amount to nothing so much as an attempt to set up claims which they universally regard as impolitic and unconstitutional." "How far their sentiments are justly founded," he says, "I am by no means competent to determine; but it is a certain fact that the statute imposing duties on glass, paper and tea, has undermined the foundation of that cordiality which the repeal of the Stamp Act had happily re-established; and it is with the utmost concern I am necessitated to acquaint you that a spirit of discontent and opposition is universally predominant in the colonies."

At the very time when Eddis was writing these ominous words, the influx of population into Maryland was rapid and great. Some came not of their own accord, as a cargo of eighty seven-year convicts from Bristol, but some were attracted by the fatness of the land and its exceeding cheapness. Among these latter may be mentioned some four hundred "Palatines" who came in one ship and probably settled in Frederick County. There were no regulations for the safety and health of passengers in those days, and four hundred men, women and children confined in the hold of one of the small ships then in use, must have suffered severely. On some of these ships there were dreadful mutinies requiring brutal violence to quell them. On others there were frightful pestilences, and the "ship-fever" was as much dreaded then as it came to be after the Irish famine in 1847. In one of the numbers of the Maryland *Gazette* about this time we read of the disease having desolated a family on Kent Island, to the members of which it was communicated by a recently arrived convict, whom the head of the house had bought. In fact the transportation of convicts and redemptioners and apprentices in those days seems to have been conducted pretty much as the "coolie trade" has been in recent times. Not only was "crimping" resorted to along shore, but once on board, the emigrants were sometimes treated with the utmost brutality. Hence the "mutinies" of which we read such frequent accounts in the contemporary journals, and which were no more in fact than the irresistible outbreaks of men maddened by a sense of intolerable wrong. Yet still the immigrants came, for, all the horrors of the voyage thrown in, all the wrongs, indignities, and outrage to which such people were often subjected after arrival, America was still recognized to be a better place (for a man with energy and two hands to employ it) to rise in than Europe. The teeming soils in the "uplands," according to Eddis, could be bought for a total cost of less than seventy-five cents an acre, and the emigrant from Germany who could secure a small farm of such soils as were then open in Frederick County, might easily deem himself rich. So also all the apprentices, redemptioners and convicts who came over at this time could find masters readily. If they were journeymen in any trade, or mechanics, or simple laborers, a situation was always waiting them. New neighborhoods were continually being opened up for occupation and settlement. There was a mania for establishing town sites, as if the site and plat were sure to fetch the people.

This speculative movement had culminated about 1732, and the towns had all of them made some ephemeral progress in the interim before 1770.[1] The "back country" was being developed with wonderful energy and rapidity, and the demand for hands was such that labor was pretty sure of receiving consideration. Behind the hunter and trapper, who followed the game ever westward, in his arduous chase after deer's meat and peltries, came the pioneer and backwoodsman, with their axes and their potash kettles. Potash was an article of export, in constant demand at the coast, to which it might be fetched on pack-horses, without the cost of transportation absorbing the article's whole value, and great sections of forest were cut down and burnt up in order that this demand might be supplied. When the forest was cleared and burned, the axeman already had his little log cabin built, with its stick chimney, and here, with his family about him, many a cockney convict forgot all about Seven Dials, St. Giles and Newgate, and the passage out in the prison-ship, the auction sale on ship-board, the hard toil in the tobacco field, the overseer's whip, the escape, the pursuit, the dreadful nightmare of the wood-rangers, only to remember that he was a man once more, a "buckskin," and a citizen of Maryland, ready to fight for her rights.

In the case of hard and brutal masters or sorry and shirking servants, there was not much hope for the redemptioner, indentured servant, or convict, unless he ran away and succeeded in eluding the sheriffs and constables, in escaping the treachery of other servants with whom he took refuge, and avoiding the danger of being run down by wood-rangers after he had succeeded in reaching "the bush." Once in or over the mountains, the rule was abundant hospitality and no questions asked, just as it used to be the case in Australia a few years ago, before the discovery of gold. If caught, if incorrigible, if his master were hard and merciless and could not manage him, he was sent off to the iron mines on the Patapsco, or Patuxent, or Gunpowder, where he fared hardly indeed. Eddis, a humane man, who must have conversed with many persons in Annapolis fully competent of instructing him in regard to the subject, speaks with evident

[1] The list of these towns is not complete, but, as given in Bacon, includes Baltimoretown, in Worcester (1744); Benedict-Leonard-town, in St. Mary's (1733, new incorporation); Bladensburg, Prince George's (1742); Bridgetown, in Dorchester (ferry over Great Choptank, 1732); Cecil-town, in Cecil (1730); Cambridge-town, in Dorchester (1745, with a prohibition against geese and swine running at large); Charlestown, in Cecil (1742); Charlestown, in Charles (1724); Fredericktown, in Cecil (1736); Fredericktown, in Frederick (1757, geese and swine prohibited); Georgetown, in Frederick (1757); Georgetown, in Kent (1736); Jansentown, in Cecil (1733); Jonas-town, in Baltimore county 1732); Kingstown, in Chester (1732); Leonardtown (re-incorporated 1728, 1730, 1737); Newport-town, in Worcester county (1745); Oxford (incorporated 1694, and destined to be the eastern shore metropolis, got Act forbidding swine and geese from running at large in 1747); Princess Anne, in Somerset (1733, 1745, 1747, 1751, 1753, amendments to charter); Salisbury town, in Somerset (1732); Snow Hill town, in Worcester (1742, newly laid out); Upper Marlborough (1744, new charter, with prohibition against swine and geese); Prince Frederick town (1728). Of these towns and cities, Charlestown, in Cecil (which it was thought would be the great metropolis of the State, has disappeared, and, as a rule, it is found that the towns of the largest hope are those of the smallest fulfillment.

repugnance and horror of the treatment received in the colony by indentured servants and redemptioners. The "free-willers," or redemptioners, servants who had come out voluntarily, upon condition that, on arriving out, their "time" (five years) was to be sold to pay the cost of transportation, he says, fared worst of any. Convicts, he says, usually returned "home" after serving out their "time," which was seven years. But the indented servants and redemptioners, actually kidnapped by crimps, or deceived into embarking by lying advertisements, and still more lying agents, promised kind treatment and the chance for speedy fortune, soon find how they have been deceived when they arrive out. There is little difference between the treatment they receive and that bestowed upon the convicts—if any, it is in favor of the latter, who, having two years longer to serve, are esteemed the more valuable servants, while negroes, being slaves for life, are always taken care of. "Persons resident in America," says our author,[1] "being accustomed to procure servants for a very trifling consideration, under absolute terms, for a limited period, are not often disposed to hire adventurers, who expect to be gratified in full proportion to their acknowledged qualifications; but, as they support authority with a rigid hand, they little regard the former situation of their unhappy dependents." Hence, these free-willers must all be sold, as they cannot find places for themselves, and they are sold into a very hard slavery indeed, so hard that the honest Eddis says: "Were the particulars of this iniquitous traffic universally divulged, those who have established offices in London, and in the principal sea-ports, for the regular conduct of their business, would be pointed out to obloquy, and their punishment would serve as a beacon to deter the ignorant and unwary from becoming victims to the insidious practices of avarice and deceit."

This is the one side of the case, purposely elaborated more fully than on previous pages, in order to give relief to the fact that there is decidedly another side to it also, showing not only that servants were both serviceable to and trusted by their masters, but that these services were often appreciated by the masters in the highest degree—in fact, that the principle of "live and let live" frequently regulated this intimate domestic relation. Not a few of our "old Maryland families" are descended from indentured servants and apprentices, and from convicts also, sold in the colony, and it is important to show that this could have easily been the case. Often, of course, the rude, ignorant back-woods planters, tired of bachelor lives, married their convict servants, or raised children by them without marriage, the children being legitimized afterwards, or anyhow so recognized as to be able to succeed to their father's estate. Sometimes a likely servant would win the affections of the master's daughter and a marriage had to follow.[2] But we are able to give, from private sources of the best character, two letters of Henry

[1] Eddis' *Letters*, p. 73.

[2] In the *Sot-Weed Factor* are some coarse but lively pictures of the sort of women who emigrated in Master Cook's time, and the airs they put on, as well as the freedom and familiarity with which they lived with the men servants and with the planter and his lads. The factor, to give the first picture, takes too heavy a drink

Callister's, which put the relations of master and servant in a new light. Callister, as has already been said, was himself an indentured servant and[1] rather proud of it. He acquired fortune and owned the "town-point" property, on Chester River, where Chestertown now stands. The first extract is from a letter of Mr. Callister's to Mr. W. Carmichael, dated "Oxford, 9th Sept. 1758," and apparently referring to some situation sought by a youth in whom Carmichael was interested. "I have not had an opportunity," Mr. Callister writes, "of recommending 'Watty' to any person but Mr. Maxwell and Mr. Wolstenholm. The latter stood in need of such an assistant, but he would not indent for less than five years, with bonds, and had no privilege or perquisites to allow, as ventures, etc., arising from goods sold in a store. The capable youths of Maryland are of late grown more numerous, so that they are to be had on easy terms, till their character for business is well-established, which cannot well be without an apprenticeship, or something like it. We come in from England on easy terms to the master. Since I have been in Maryland, Messrs. Cunliffe[2] have sent in six or seven young men bound from five to seven years, to whom they allowed *nothing but diet and lodging.* I have now two well educated assistants, who are bound for seven years; and they are either of them fit for business, though they have yet above three years to serve. One of them is, I think, to receive nothing; the other a very trifle, though he had already, before he contracted

of rum upon the planter's cider and was forced to go to bed. Thither he was conveyed "by one who pass'd for chamber-maid—

Tho' by her loose and sluttish dress,
She rather seemed a Bedlam-bess."

The factor is not too drunk to ask his guide's name, when, with an affected blush and simper, she made answer—

"In better times, ere to this land,
I was unhappily trapanned,
Perchance as well I did appear
As any lord or lady here,
Not then a slave for twice two year.
My cloaths were fashionably new,
Nor were my shifts of linen blue;
But things are changed, now at the Hoe,
I daily work and barefoot go,
In weeding corn or feeding swine,
I spend my melancholy time.
Kidnap'd and fool'd, I hither fled,
To shun a hated nuptial bed—" * * * *

("These," says our author, "are the general excuses made by English women, which are sold or sell themselves, to Mary-land.")

"And to my cost already find
Worse plagues than these I left behind."

Later, when dining on canvas back, rock-fish and wild turkey at his friend's, the Cockerouse's, the factor is overcome once again by the quality of the Madeira, stumbles out into the shade and sleeps till night. Waking, chilled by the night vapors, our author stumbles apparently, into another part of the mansion and here finds not only a fire, but "a jolly female crew, deeply engaged at Lanctie-Looe—

"In night-rails white, with dirty mien,
Such sights are scarce in England seen."

The conversation that passed between these dames is rather freer than the present times are used to. They quarrel, at any rate, over their game of Loo—

"D—n you," says one, "tho' now so brave,
I knew you late a four-years' slave;
What if for planter's wife you go,
Nature designed you for the hoe."

The other retorts that her companion took out her fare to the colony in Captain's kisses—

"And if the truth was known aright,
And how you walked the streets by night,
You'd blush (if one could blush) for shame,
Who from Bridewell or Newgate came."

The let-fall curtain here, but, as the reader must confess, the portraits are suggestive, and it is easy to conceive of ladies elevated from the hoe, putting on the airs, with the paint, of the immitable Goldsmith's ladies of quality during their visit to the Vicar's humble abode.

[1] Goldsborough papers. Myrtle Grove. Copied by the late G. L. L. Davis.

[2] Whose agent, at Oxford, Mr. Callister was.

with Messrs. Cunliffe, served some years in Virginia. To conclude, in regard to myself:—after a regular apprenticeship in a compting house, shop and cellars, at home, afterwards two years more in a compting house in Dublin, and one year in France, I came over to Maryland for five years[1] at £20, with good recommendations. I had indeed the privilege, all this while, of selling my own goods in the store; but that cost them nothing." The second letter relates to a convict for whom Mr. Callister wants to find a home, and is dated from "Oxford, May 21, 1758," and addressed to Colonel Richard Tilghman. "The smith waits on you again," he writes, "as I have neither skill nor experience of his work, having never been in his shop to see him work, I cannot recommend him. But this I can attest, that he makes the greatest diversion of his work of any I ever knew, singing and whistling and hammering continually, from very early in the morning, while he has any light. He was also exceedingly well recommended to me. I bought him for the use of Messrs. Cunliffe, to stop considerable sums annually expended on our numerous craft, and housing, etc., paid to the smiths in this town. In the meantime, and before he was sent to me, came positive orders to put the finishing hand to Messrs. Cunliffe's affairs in Maryland. Upon this I concluded to remove to Chester River, and took the smith to myself. I sent him before me to Chester River, and set him up there; but before the time I had fixed for my removal, I received a letter from Messrs. Cunliffe, not approving of my going to Chester, and requiring me to stay at Oxford, till I could bring their affairs to a conclusion. Thus (the man being a convict) I could not leave him to himself at such a distance from me; and, accordingly, took him back to Oxford, with a view to set him up here. He brought me an account that Francis Rochester, and three or four more were about joining to buy him. In the meantime, I must either fix him here, or sell him directly. He told me, your smith assured him, that you would buy him. With this view I sent him up to you, and desired him candidly to tell you every circumstance, and the price Rochester and his partners were to give. His wife is a very likely, able young woman, and indented sometime this last summer, for 3 years only. They must both go together, with all the tools I had with him, for £50 currency."

These letters speak for themselves, and withal, speak pleasantly. They show that many of these apprentices were decent, well behaved, respectable people, respecting themselves and respected by others, and that their masters, while driving hard enough bargains with them, treated them decently and gave them chances to begin business before their servitude was over. Callister does not write as if the things he was telling were at all strange or out of the ordinary. At the same time, the price named for such a man as the smith, with six years to serve, and his wife three, is so low, that it quite explains why indented men could command so little. It would amount to but a little over $17 a year, apiece, besides board, lodging, clothing, for an

[1] That is, bound for a term of five years, to receive £20 at the expiring of the apprenticeship.

evidently skilled mechanic and his wife, described as a superior woman in her class, when the mechanic himself could probably earn his employer five times that much in cash every year, besides doing all his regular work.

As to the slaves, we all know how they were treated. The patriarchal system of a little later period was not quite full blown, and the fact that there were many Africans in the colony, just imported, who spoke no language but that of the Niger and Congo regions whence they came, made severity necessary. But already there were field-hands and house-servants, and the latter domineered over master and mistress, lied to them, or cajoled them, just as they pleased. The field-hands sometimes took to the swamps, sometimes murdered an overseer, and it is to be inferred from the frequent occurrence in the Maryland *Gazette* of the most frightful stories about marooning in Jamaica, and savage negro outbreaks in Hispaniola, that there were people in Annapolis who did not like the large importations of negroes that were being made. These importations were heavily taxed, too, *per capita*, showing that the assembly thought as the *Gazette* did. And yet, as we have already shown, the whites in 1755, outnumbered the blacks and mulattoes more than two to one, there being only 46,225 of the latter to 107,963 of the former. In 1770, there were probably 130,000 whites to 50,000 colored people.

Of this population more than four-fifths were engaged in agriculture. The people of the town altogether did not number 20,000, and sailors, fishermen, and country mechanics, with officials and lawyers, etc., made up all the rest. Even these had more or less to do with farming and planting. The parson had his glebe, the lawyers and doctors all their farms, and if a shopkeeper made money beyond the demands of his active capital in trade, he was pretty sure to invest it in land. The mechanics, fishermen, bay sailors, and petty tradesmen, took a turn in the tobacco fields at planting time, or helped in the wheat harvest, or in pulling and husking corn. Only the very fine gentry went about in their coaches, while their "macaroni" sons hunted the fox through brake and briar from dawn to dewy eve, or stood up to their waists in water on bleak November days, on the outer margin of marshy points, when the wild winds made the ducks and wild-fowl fly low, loading and firing their long-barrelled ducking guns and bringing down canvas-back ducks by the cart-load.[1] Then for royal suppers of duck and hominy, two or three ducks to a man, and rum punch, and goblets of fine old Madeira from the wood, the long clay pipes smoked by the blazing log fires, card-parties of whist and all-fours, and bluff and brag, and to bed long after midnight—if there were beds enough to spare; if not, a blanket and a sofa, a blanket and four chairs, or a bearskin by the fire, answered as well, while the fire-watching picanninies slept and snored, and the great water dogs whined in their dreams, or edged up closer and closer to the fire.

[1] Within the memory of the present writer it has been told him of gunners on Reed's creek in Queen Ann's county, between early day and dinner time, shooting so many canvas-backs that the ox-cart had to be sent to fetch them home.

An agricultural community almost exclusively, and yet, farming was very rudely and imperfectly done, except in places here and there, such as the Wye farm, or ex-Governor Sharpe's brave place, or at Ogle's palace, or Rousby Hall, and others of the old manorial sites, where good taste, good judgment and fondness for agriculture as an art conspired with wealth, luxury and the sense of beauty to produce surprising results. The average husbandry was of a primitive fashion. The plough was little used except for the breaking up of new ground in the spring and fallow in the fall. It played an altogether secondary part to the hoe, which did well-nigh all the work of cultivating corn and tobacco, save what women's fingers did in the way of weeding; and the cheapness of labor made this dull, slow fashion of tillage still profitable. The hoe was not the light, sharp steel implement of the present day, but a great clumsy lump of iron, often rudely made by the blacksmith on the plantation, so contrived that it would not be sharp and could not be broken. The handle was thick at the butt as a weaver's beam and wedged with wood in the collar of the hoe. This huge unwieldy affair protected the young tobacco plant while it ensured that the earth would be well stirred around it. Three or four deep chops about each plant, and then, if there were any weeds nearer than six inches to it, they must be taken out by hand, for there was the overseer in sight, on horseback or on foot, with keen eyes under his broad-brimmed hat watching that each hand did his task—so many hills of corn or tobacco in so many hours—and did it well. There too was his cowhide tucked under his arm, and his gun perhaps strapped to his back. He might perchance shoot a few squirrels,[1] or a wolf might appear in the openings of the woods or at the end of the long rows or—anyhow, the gun was a protection to him against ignorant Cuffee and malicious convict alike. It was not, perhaps, his duck gun, nor a light breech-loader like the gimcracks of the day, but a serviceable gun for all that, if the flint and priming were in good condition. It was not a rifle, for only the deer-shooters and Indian shooters in the frontier used them. Neither was it a double-barrelled gun, but it might very well be an old bell-mouthed tower musket that had seen service at Blenheim or Fontenoy, or a regular blunderbuss, like that with which Mr. Chew armed his servant man when he went gallantly forth to fight the Reverend Bennett Allen in a duel which never came off.

Returning to the hoe: its weight and strength were necessary, for, excepting in some favored localities, such as the alluvials of West River, very little tobacco land was found in 1770 that was free from roots and decaying stumps. The average upland in those days even could not be made to bear

[1] There was a bounty of two pounds of tobacco paid for squirrel scalps and crows head in nearly every county, and so destructive do these little animals, now so scarce, appear to have been, that in 1728, a general law was enacted, requiring every tax-payer, on coming forward to pay his taxes, to precede the payment by producing each year three squirrel scalps or crow's heads for every taxable assessed to his charge, and he was find two pound of tobacco for every scalp or head that his account fell short.

more than fifteen successive crops of tobacco without showing signs of exhaustion. Then it was abandoned at once and new ground taken up. In Kentucky, in Fayette County, there are fields that have been cultivated in hemp for seventy years, with no intermission, except an interval of corn once in about twenty years; but only our Maryland river-bottom land is so strong, and very few acres even of that. Very early in the history of the colony, the term "old fields" became common in application to abandoned tobacco lands, which grew up in sedge, and pine, and sassafras, prodigal sons returning ragged and forlorn, to the wilderness from which they had been enticed. The new ground which took its place was always rooty and stumpy, nor was it as a rule subjected to much more than surface tillage. People were afraid to plough deeply, lest their light teams could not drag the implement, or it might be broken, as was very likely to be the case where, as often happened, the mould-board was of wood. Plough irons were a desideratum in those days, for they all came from England, and were very costly.[1] There was besides a superstitious prejudice against ploughing deeply, for fear of bringing to the surface the cold and unfertile elements of the soil, which is not yet dispelled in some parts of Maryland.

The crop of the next importance to tobacco at this time, was Indian corn, which was tilled with the hoe just as tobacco was, but was ploughed twice, and needed much less hoeing. Together with his task of tobacco, a negro, or other hand, could till fourteen acres, or 37,800 hills of corn, (the old mode of computation), each 1000 hills being calculated to yield, good season and bad, from one and one-half to two barrels of corn or more, when the soil was superior in quality. By calculating in this way the planter could readily ascertain at the beginning of the season whether he was planting corn enough to feed himself, his family, his servants, and his stock during the year—he had no occasion to plant more, for he never sold corn, except to his neighbors who happened to be short. In Frederick and Carroll Counties the German settlers there early profited by the deep rich soil to raise large quantities of flax. The flax they hackled, and made the women spin and weave it at home into very stout linen, making also threads of different colors that found a ready market. The seed was packed in the huge country wagons of the day, and sent to Baltimore and Philadelphia. But little grass was grown, and in the planting sections of the State, stock, horses, cattle, swine, were all permitted to run at large, and to run wild. It was very different from this in the thrifty German settlements, where land and stock were both nursed and cared for, where everything was housed, and where a varied husbandry, directed to the stimulating of a diversified industry indoors, gave each member of the household some work to do all the year round. The result was that these Frederick

[1] Martha Tyson, in her pamphlet on the *Settlement of Ellicotts' Mills*, says (of 1772): "The only iron tools manufactured in Baltimore county were crowbars, which, through the favor of the proprietors of Dorsey's Forge, named Avalon, were afterwards purchased from that works, also situated on the Patapsco, near Elkridge Landing." She also says that all other tools and implements were "regularly imported."

County Germans were rich before the planters in St. Mary's, Calvert and Anne Arundel, thanks to their rich lands and prolific negroes, had half impoverished themselves.

The legislature several times attempted to encourage the growth of flax and hemp. But the latter never took well except among the Germans. The processes of rippling, setting, breaking, hackling, cutting, spinning, and weaving flax, are too delicate and intricate to be trusted to negroes. Just before the Revolutionary War the culture of hemp began, and we had a great many rope-walks in Baltimore until after the war of 1812, but the crop was too exhaustive for our soils, and both the culture of hemp and the making of ropes are amongst our lost industries. Much timber was got out, but in a primitive way; saw-mills were few and far between; the whip-saw was the chief implement, and most of the timber sold was in the shape of riven oak shingles, and barrel staves for the West Indies trade. The larger flouring mills on or near salt water and the bay, (such as the mill on "Allen's Fresh") frequently had large bake-houses attached to them, for the purpose of supplying ships with biscuit for the return voyage.[1]

So long as the Province of Maryland produced only tobacco, and saw no possibility of any other product, there was no hope that any trade or commerce would spring up or that any towns would grow. Our planters produced tobacco for merchants in England, who sent ships over, paid for the staple in goods and supplies and returned, leaving the planters to get ready a crop for next year. The ships simply came to the bay-shore and there the planters hastened to meet them, after rolling their hogsheads of tobacco fifteen and twenty miles across country to get to them.[2] Such a system of farming was simple slavery to the mother-country. But, when the Blue Ridge was passed both in Maryland, Virginia and Pennsylvania, and the thrifty Germans settled the rich valleys all the way from Carlisle to Harrisonburg, a more varied husbandry began to spring up, another kind of transportation was demanded, and the first dawnings of commerce were detected. Three things the pioneers and backwoods people must have, because they could not do without them and live. These were salt, lead, and gunpowder. The planting people had never attempted any manufacture but that of iron, but the Germans in Frederick used to make linen goods, tow, thread; they knitted long yarn stockings; they tanned their leather and made horse-collars and harness; they prepared honey, firkined butter, dried apples, apple-

[1] Thus, in the Maryland *Gazette* of October 20, 1763, Benjamin Fendall, in advertising his mill (on the Wicomico) for sale, mentions that it has a bake-house 30 by 16 feet, and draws 150 pounds of ship bread at a draught. It is also mentioned that the mill is near a naval office, where the ships are obliged to stop.

[2] There are, perhaps, thirty roads in the State which still bear the title of "rolling roads," by which tobacco was brought in this manner to tide-water. The greater part of these old rolling roads are in Cecil, Harford, Baltimore and Anne Arundel counties, their objective points being Charlestown, Joppa and Elkridge Landing. In 1763, there was inspected at Elkridge warehouse 1,696 hogsheads of tobacco, being over one-half inspected in Anne Arundel county. The hogsheads were rigged with tongue and axle, somewhat like country-made rollers now-a-days, and were propelled up hill and held back down hill by negroes or oxen, or both.

butter, etc., and, when they had a load of these things they hitched up the team of four, six, or even eight massive horses, musical with chimes of bells, to the huge Conestoga wagon, and the old man and his *frau* went to town to sell their notions and buy their supplies. Their natural market was Baltimore, from which, indeed, all the interior, as it was gradually settled, got its supplies. From Carlisle and Harrisburg to the upper part of the valley of Virginia, Baltimore was the only place the people traded with. Before the roads were passable for wagons, this trading was done by the pioneers with long strings of pack-horses, mounted with bells. A teamster usually had eight horses in his string, and the load of each horse varied from one hundred to one hundred and fifty pounds. As the pioneers clothed and fed themselves, these trains did not carry much besides salt, lead, and gunpowder, but now and then a gay ribbon or a flaunting calico found itself in the packs. Across the Blue Ridge, in the lower valley, in those days of difficult travel, a bushel of salt was worth a cow and calf.[1] These trains brought for trade a great many furs and peltries, hides, potash, wild honey, horns, game, etc. It was in these small ventures that a trade sprang up, which, by slow degrees, demanding advance importations from England and houses to store them in, not only gave us the beginning of commerce and of cities, but prepared the way to decrease our dependence upon Great Britain. That dependence, owing in part to British trade restrictions, was of the most abject and debasing kind, for it tied our hands and rendered us helpless, and all good patriots sighed to have the slavery lightened. Thus, Beale Bordley, writing to his London correspondent, says (1771): "We expect to fall off more and more from using your goods; we are already the best people; *using our old clothes and preparing new of our own manufacture;* they will be coarse, but if we add just resentment to necessity, may not a sheepskin make a luxurious jubilee coat?"[2] The assembly did a good piece of work also when, in order to

[1] Kercheval, *History of the Valley of Virginia*, from whom many interesting particulars have been derived. He was also largely indebted to Doddridge, and Brantz Mayer, in his *Logan and Cresap*, to Kercheval. Doddridge usually relates his own experiences—Kercheval what he had gathered from many industrious conversations with the survivors of those old times.

[2] How abject that state of dependence upon Great Britain was, may be gathered from a letter of Washington's which has been preserved (dated, we think, about 1770) ordering of his factor at Bristol, goods for his own family use. He orders, ruffles: 5 pair linen, 1 pair cambric, 2 pair fine worked @ 20*s.* per pair. He orders also shoe brushes, thread hose, saddle, holsters, housing, gaiters, superfine blue cotton velvet for suit, 2 pair shoes, 2 pair double-channeled pumps, 2 pair stitched shoes, 6 pair gloves with slip tops, 1 salmen-colored tabby (velvet) with satin flowers, sash, coat, cap, handkerchief, ruffles of Brussels or point lace, to cost £20 (for Mrs. Washington), a piece of bag Holland, fixed at 6*s.*, fine flowered lawn aprons, double handkerchiefs, white silk and cotton hose for women, satin shoes, white calimanco shoes, fashionable hat or bonnet, kid gloves, mitts, knots and breast knots, stay laces, black mask, cambric handkerchief, scissors sewing silk, pins, hair-pins, tape, perfumed powder, Scotch snuff, Strasbourg snuff, satin ribbon, puckered petticoats, tabby petticoats, starch, blue, thread, pickles, mangoes, cheese, tea, corks, raisins, almonds, hogshead porter, sugar in loaf, mustard, playing cards, buscuit, chair-bottoms, etc. Young Master Custis' outfit, at 8 years old, is ordered complete: One winter suit, 1 summer ditto, 2 pieces nankeen, 1 silver-laced hat, 6 pair fine cotton stockings, 1 pair fine worsted stockings, 4 pair strong shoes, 1 pair neat pumps, 1 pair gloves, 2 hair bags and 1 piece ribbon for them, silver shoe and knee buckles, sleeve buttons, piece Irish linen, Bible and prayer-book.

collect the revenue, it established ports and naval offices, and compelled ships to stop at these instead of trading indiscriminately up and down the bay and in every cove where they could find snug harbor and anchorage; and when, also, it established inspection warehouses at various points and compelled all tobacco to be delivered at these warehouses for inspection before it could be sold for either foreign or home consumption. When people found that it was compulsory upon them to deposit their staple in *some* warehouse, they began to obey the principle of selection, and deposit it where it would be likely to find readiest sale, or where it could be exchanged to the best advantage.

Another thing helped materially to give the Chesapeake Bay its importance, and this was the undeniable fondness of the people for rum and for sugar. As our trade with the interior began to spring up, these articles grew in demand. Maple sugar never did satisfy our people, although a good deal of it used to be made, and at the time of which we write, the conversion of corn and rye into Monongahela whiskey had not begun. There was some trade with the West Indies, with Barbadoes and Bermuda, from the earliest existence of the colony, the people there being glad to exchange their superabundant rum, sugar and molasses for jerked meat, pork, fish, bacon and salt beef, and this trade now began to assume importance, and led also to a good deal of ship building, especially on the Eastern shore, where the timber, oak and soft yellow pine, were eminently suited for that purpose. It is held by some, that the models of the "Baltimore clipper," for schooners the fastest sailing vessels in the world, originated near the town of St. Michaels, in Talbot County, where ship-building has been a hereditary pursuit ever since 1670. When the Revolutionary War broke out, the fishermen and West India traders of the Chesapeake found their occupation gone, but they speedily took up another, that of privateering, and with such success that the British admiralty denounced the bay as a nest of pirates.

It is curious to note, as has already been observed, with what particularity of detail, what numerous provisions for a magnificent future, towns used to be laid out—in bills of assembly—after the town-creating mania had once developed itself in the province. Take for instance the town of Charlestown, in Cecil County, of which no vestige now remains, unless possibly a chimney or two, but of which the story is told that about 1750, a British merchant, having some money to invest and full of faith in the Maryland Province, came over in person to select the place to put his money where it would turn over most rapidly. He examined Annapolis, Baltimore, Chestertown, Elkridge, Oxford, (then no longer called Williamstadt), and, after mature deliberation, put his money in town lots in Charlestown, as the most promising site of all for the great city of the future. It was probably a permanent investment, for the money must remain there

For the servants: Fifty ells osnaburgs, and one suit livery; also a spinet for Miss Custis— "but be careful to buy, as if for yourself, and not for exportation."

still. There are five Acts of Assembly relating to the "laying out and erecting a town at a place called Long-Point on the west side of North-East River, in Cæcil County." The first and principal Act, in its preamble, states that "Whereas the encouragement of trade and navigation is the surest means of promoting the happiness and increasing the riches of a country, and that such trade is with the greatest ease and advantage carried on, when the same is drawn into and fixed in one or more convenient places; whereby it appears, that erecting towns, and granting proper immunities and privileges for the encouragement of people to inhabit therein, must greatly contribute to so desirable an end; and there being as yet no such place settled at, or near the head of Chesapeake Bay, although from the great extent of the country round, and the want of navigable water above it, the same seems altogether necessary. It is therefore humbly prayed that it may be enacted," etc. The second section provides for seven commissioners, whose names and families have survived the town,[1] to lay out two hundred acres of land on Town Point into two hundred convenient lots, with proper streets, lanes and alleys, and also three hundred acres of common for the said town. Two plats are to be returned of the survey, and the commissioners are given power to take up the land by purchase or valuation. Section five provides for determining the value of lots in the town, so that their aggregate price shall equal the total cost of the tract of five hundred acres. The name is to be called Charlestown, and the common is to be secured for all time for the free use and benefit of all the inhabitants. The owner of the land is to have first choice of two lots, and the rest of the lots are to be taken up by ballot, to prevent partiality or contest, but no one except the owner as aforesaid is to hold more than one lot at any time within three years after the laying out of the town. The names of the owners of the lots are to be entered on the books of the Clerk of Cæcil County Court. Section eleven enacts "that all and every the person and persons aforesaid, taking up the lots aforesaid, their heirs, executors, administrators and assigns, shall be obliged to erect and build on such their respective Lots, within Three Years after the Date of the Entry thereof, so as aforesaid to be made, one good tenantable Dwelling House, which shall cover 400 square Feet of Ground at least, exclusive of Sheds, with a Brick or Stone Chimney to every such House, and every person neglecting or omitting to build as aforesaid, on his or her Lot, shall lose or forfeit his or her Right, Title and Estate therein; and every such Lots so neglected to be built on as aforesaid, shall from and after the Expiration of the Three Years aforesaid, be liable to be taken up by any other Person whatsoever." The forfeited lots are to be taken up by entry, the person taking them up assuming the above named obligation, and lots not taken up in the ballot may be taken up by any one who will pay the price set to the clerk of the county, who is to attend all the proceedings, collect the money and pay over to the commissioners, less

[1] Their names were: Colonel Thomas Colvill, Captain Nicholas Hyland, Mr. Benjamin Pearce, Mr. William Alexander, Mr. Henry Baker, Mr. Zebulon Hollingsworth, and Mr. John Read.

his own commission of 2½ per cent. The Lord Proprietary's quit-rent is two pence sterling for each lot of the 200, this covering also the commons. The commissioners, in laying out the town, are to reserve one or more squares for building thereon a court-house, market-house, and other public buildings. Section eighteen says, "and whereas the present Incumbent of the Parish wherein the said Town and Common is to be laid out, has signified his willingness and consent to exempt all Persons actually living and residing within the Bounds of the said Town-Land, from the Payment of the Forty per Poll, and as such Privilege or Exemption may greatly encourage Persons of all Professions, Religion, Persuasions, Trades or Occupations whatsoever, to build and settle in said Town, and much conduce to the better Peopling and Seating the adjacent Lands, now uncultivated in the said Parish, to the equal benefit of the Incumbents thereof," therefore be it enacted that the said exemption from the forty per poll be extended to the residents as above expressed. And further, that a residence of one year in the town shall make any one a resident of the province. The Act concludes by providing for the succession of the Town Commissioners. The purchasers of the lots in Charlestown, having, by a voluntary subscription of twenty shillings per lot, raised £200 and put the money in the hands of the commissioners in order to secure the building of a public wharf and storehouse, a supplementary Act passed the Assembly of 1744, chapter XXII., authorizing the Town Commissioners to erect such wharf and buildings; but no commissioner is to be interested in any contract in connection with the structures, under penalty of £50, and they are required to lodge with the County Clerk a fair and particular account of the receipts and disbursements of this and any other public money received by them. When the wharf and storehouse are built, the commissioners are to appoint "a Person of good Repute and Skill in the Goodness and Quality of Flour, Wheat, and other Grain, to be wharfinger and store-house keeper," he to give £100 bond for the proper performance of his duties. He is to be provided with sealed measures, to look after all storage carefully, give transferable receipts for grain and other produce, etc. If grain has been in his charge above three months, he shall be allowed one per cent. for shrinkage. A "viewer or examiner" (inspector) of flour is also to be appointed, if the commissioners deem the office necessary, and after his appointment no flour is to be shipped without his brand, his fee being three pence per barrel. All flour shipped from North-east River is to be brought to Charlestown, to be branded, unmerchantable flour to be marked with the broad arrow, which prevented it from being exported. The general charges for wharfage and storage are to be settled at moderate and reasonable rates by the commissioners; and lumber and staves not to be allowed to cumber the wharf long. The commissioners are given power "to set apart any Part of the Public Squares or Vacancies to the use of any religious Society or Persuasion, for the Building thereon any House or Houses for Public Worship,

and to such other Public uses as to them, or the major Part of them, shall appear to be for the Interest, Profit, and Conveniency of the Inhabitants of the said Town," and to lease the rest of the public squares for not more than twenty-one years. They may lay out one hundred acres of the Town Common, as timber land for the use of the town, no tree above the girt of eighteen inches at three feet from the ground to be cut down by any one, without leave of the commissioners. A ship-yard of two acres is also authorized to be laid out at Seneca Point, near by Charlestown. The vacancies in the Board of Commissioners are authorized by this Act to be supplied by *election* by the qualified inhabitants, the election to take place at the same time as the election for burgesses. Elaborate provisions are also made for the annual *Fairs* to be held in the town, one in the spring, another in the autumn, each to last three days and persons attending them to be free from arrest, except for felony. The Act of 1750, chapter XII., provides for a town overseer, with power to clear streets, make bridges, &c. The inhabitants are required to grub their lots and keep them clear of undergrowth, and are forbidden from barking or cutting down trees in the common, or making coal or brick kilns therein. The commissioners are authorized to lease the town marsh to any one who will dyke, drain, and make good meadow of it. And, whereas a public market-house has been built in the town, forestalling, huckstering and hawking from house to house are forbidden, and all provisions are required, under penalty, to be sold in the market-house. Swine, sheep and geese are forbidden to be raised in the town, unless enclosed in a lot or pen, and persons letting their chimneys take fire, so as to blaze out at the top, are fined ten shillings for each offence. Every person not having a ladder high enough to reach to the top of his roof is in like manner fined ten shillings. A further Act of 1753, chapter XXVIII., authorizes persons having water lots in the town to build wharves or other improvements as they may see fit, as far as to the channel of the river.

Such is the history of what may be properly called a "paper town" in the Province of Maryland, for it was nothing else but a speculative enterprise to which was sought to be given a start and stability by the most careful and liberal legislation. We have given the various Acts on the subject with fulness, because they throw light upon many important particulars in the history of the times, but still more because they illustrate the difference between a town which grows and one that is attempted to be made. You find none of these careful Acts of Assembly in connection with the history of Baltimore, such as may be discovered in connection with Williamstadt (or Oxford), and Charlestown. The latter, indeed, is given a much greater space in the early laws than St. Mary's or Annapolis. Baltimore started out in 1729, with a modest sixty acres, and made but very small and infrequent appearances in the statute-book, never to create for it something which it had not. Yet, Charlestown and Joppa have no places on the map, and their sites are known to very few, while Baltimore is the greater half of the State of

Maryland in wealth and influence. Nothing shows more effectually how impotent legislation is to *create*. Its power dwells entirely where its province is, in *regulating*.

It may be mentioned here, in continuation of what has been said above in regard to artificial and natural encouragements to ship-building that, considering this was an age of general restriction and monopoly, the legislature acted wisely in protecting "country bottoms" or home-built ships in the way it did, and that this protection was effectual in giving substantial encouragement to a very important interest. These home-built ships were exempted from payment of port duties and anchorage fees. The duties payable for servants, negroes and liquors, imported under the Act of 1715, chapter XXXVI., were remitted when forming part of the cargoes of country bottoms; but they had to be *bona fide* importations. These country bottoms, in consequence of these advantages, pretty much controlled all our coastwise trade with New England and the West Indies. They also traded to Liverpool, to Holland and to France, and doubtless did a good deal of smuggling, carrying to the latter countries the exports of which Great Britain's trade regulations gave her the monopoly. At any rate, Bordeaux wines were cheap and abundant in the province, pretty much as they were in Ireland about the same time, and our leading merchants generally spoke French, and were intimate correspondents with the French West Indies, long before the Revolution. Antigua rum and Martinique cordials were found upon most side-boards, and French fashions were not unknown to the ladies.

A list of the sorts of goods imported would cover a good many luxuries and delicacies. We have already given[1] what Washington imported for family use. Rivington & Brown, of Philadelphia, (Rivington being the notorious Tory bookseller who did business afterwards in New York, who was the butt of Philip Freneau's wit, and whose successors still publish books under the same firm name in Paternoster Row, London,) advertise in the Maryland *Gazette* of Oct. 20th, 1763, that they have just received a lot of books, and also an assortment of pewter, wood and leather inkstands, (the latter resembling, perhaps, the ancient "inkhorn,") together with wafers, wax, ink-powders and Hadley's quadrants. They have hats, plain and gold and silver laced, made and cocked in the latest fashion by his majesty's hatter. They have London-made boots, shoes, pumps and boot-garters. They have a complete assortment of side-arms, swords, *cutteaus de chasse* and foils, sword-blades and scabbards; silk or buff sword-belts and gorgets. They have silver and steel mounted fusees and bayonets; silver mounted guns; silver, plated and steel spurs. They have the newest fashion of paste shoe buckles; pinchbeck ditto, such as are worn by persons of the first distinction; ladies' gold chains, gold seals, plain gold sleeve buttons; tortoise-shell snuff-boxes, and snuff-boxes of papier maché, leather, etc. They advertise cribbage-boards, quail and dog calls for fowling, partridge and quail nets; cock-spurs or gaffs "for

[1] Note, vol. ii., p. 62.

the royal pastime of cock-fighting;" nail-nippers, cork-screws, table-knives, with "swell bosom" forks, scales for weighing gold, fine ribbed silk stockings, fishing-tackle, etc. These were only some of the fancy articles imported. We have already spoken of the large importations of quack medicines, of kinds, names and properties suspiciously like those of our own day. Other importations were English beer, delf pipes, castile and other soaps, Turk's Island and Liverpool salt, mould and dipped candles, chocolate, etc. East India goods, muslins, calicoes, nankeens, chintzes, bandannas, seersuckers, were much worn and in steady demand, in spite of very high prices, as were also heavy Chinese silks and brocades, white satins, fans,[1] fancy articles in silver, jet and ivory, etc. There were also Irish linens, Manchester checks, poplins, ginghams, camlets, and other similar cloths, serges, wiltons, druggets, (worn by servants), kerseys, friezes, fearnoughts, bath coating, half-thicks, dowlas, silesias, tammies, durants, flerets, shalloons, lutestrings, taffetas, sarcenets, etc. Anchovies, anchovy sauce, capers and olives were also imported largely, together with large lines of napery, and an assortment of miscellaneous goods such as would hardly now be found in any country store, from paints, nails, oils, spices, tin and brass ware, down to Indian matchcoats, blankets and tomahawks.

These goods were sold at enormous profits, but very seldom for cash, nor were the bills payable in cash as a usual thing. Dealers sold for "exchange" (bills on London, which were preferred to everything else but good, bright guineas) inspection bills, or the tobacco itself (next best) currency, or for country produce. The margin of profit was large enough to cover all contingencies, and the advance in the price, for instance, of East India goods, by the time the Maryland planter had exchanged his tobacco for them, or the up-country dealer his furs, lumber, wheat, flour, flax-seed, etc., was simply enormous. Joshua Johnson, in fact, advertises in one of the numbers of the Maryland *Gazette*, with an evident pride in the fact, that he was much more moderate in his charges than his neighbors, that "for ready money" (that is to say, for cash) he retailed at *only one hundred per cent. advance on the cost of his goods;* and it is to be presumed he meant cost delivered at his storehouse. When the more common of these goods were carried into the up-country on pack-horses, to be exchanged for furs and pelts which really had no money value until prepared and put upon the market in Europe, it may readily be imagined that a hunter's gains during a whole year would scarcely suffice to buy his wife a "calimanco" frock.

The rate of interest was fixed by law at six per cent. for money loans, and eight per cent. for tobacco loans. And the province's own money (borrowed) was lent out at four per cent. But the rates of interest were really much higher than this; when London factors lent to the colonists, for instance, in the shape of advanced cash for tobacco, the discount called exchange, amounted to about twenty-five per cent., though there was actually less

[1] Nankeens and India chintzes fetching from 4 to 10 shillings per yard.

than six months between the day when the money was drawn from the bank for the venture and the day when it was returned to the bank again in the shape of avails of the tobacco sold. Profits of all kinds, in fact, were large; the attorney's immemorial 6*s.* 8*d.* was raised in Maryland to 100 lbs tobacco, (equal to 12*s.* 6*d.*), in minor cases, and to 200 lbs in more important ones; and it stands to reason that money, the scarcest article in the province, and the one most in demand, would earn quite as much, at least, as other things. Land speculations certainly paid well, where conducted with judgment; and the "court party" that partly surrounded Governor Ogle at the time of the opening of Frederick County to settlement, is understood to have made large sums of money by the lease and sale of these fertile lands.[1]

In spite, however, of the growth of towns like Baltimore and Frederick, and the effects of the Revolutionary War, and of the opening of the back country, in stimulating commerce, the old Maryland *Gazetteer* of 1790, still notes Maryland as a distinctively agricultural State, only less so than Virginia, and her people as holding themselves aloof from anything like gregariousness. The author says: "The inhabitants, except in the populous towns, live on their plantations, often several miles distant from each other. To an inhabitant of the Eastern States, they appear to live very retired and unsocial lives. [Evidently, he did not know them.] The effect of this solitude are visible in the countenance as well as in the manners and dress of many of the country people. The pride which grows on slavery and is habitual to those who from their infancy are taught to believe and to feel their superiority, is a visible characteristic of the people of Maryland. Hospitality to strangers is equally universal and obvious." So far forth as this means that the people took the complexion of their thought from country rather than town life, it is certainly true enough, emphatically true of the Marylanders of 1770. They were a people impatient of houses even when town-born and bred and wedded to out-door life. The founders of the colony, when they came over, were no more than half a dozen generations or so removed from the authors of the Robin Hood ballads and the celebrants of the glories of Sherwood and Ettrick forests, and they took to the forest and the water as if the old instinct had only been slumbering in them and had never died. The Englishman even of to-day, when you transplant him to the pine woods of Canada, or the rolling park-like drives of Australia, does not need a dozen years to naturalize him. How much more easy then was it for him, in the times of Charles I. and II., to make himself at home in the woods, to learn how to shoot and hunt, to paddle the canoe and drive the deer at midnight. A little sharper collision with the Indians would have easily turned all the first colonists into Captain Brents, and made their sons genuine "buckskins," like Michael Cresap. How natural for the colony to equip and maintain its corps of wood-rangers, and how difficult for it to break up horse-racing at

[1] See Eddis, p. 99.

Quaker meetings and other assemblies, even with all the force of the law.[1] These hard swearing, hard drinking, hard working young planters, too, were very fond of adventure. When volunteers were called for for Canada, in 1746, this province furnished many more than its quota. The young men enlisted largely as volunteers in the royal expedition against the West Indies, in 1740. When Captain Cresap went to war against the Indians, he always had plenty of followers; and these young fellows became so enamored of the woods, and of the life there, that they seemed to become Indians themselves. They assumed the Indian dress in the minutest particular, not only leggings, moccasins, fringed hunting-shirt, etc., but even the breech-clout, and are described as marching through Frederick, single file, making the houses echo with their wild war-whoop.[2] They substituted the hunting blouse of buck-skin for the Indian's rude, coarse, "match-coat" blanket, thus really returning to the primitive Indian costume; and carried the belt, the powder horn and shot-bag, the knife, pipe, and hatchet, adopting, with the Indian's costume, his ways and habits also. In more settled times and communities, they kept up all the old English rough sports and games, fox-hunting and racing, bear-baiting, bull-baiting, cock-fighting. The planter's porch was always crowded with yelping fox-hounds, waiting either to hear the master's horn sound "mount and away!" or to see the "quarter" door open that they might steal something. These dogs divided, as domestic pets, the affections of their masters with the great mongrel water-dog, a cross apparently of the Newfoundland dog with the Irish wolf-hound, a strong, courageous animal, of great modesty, but which will swim a mile out into the bay in the teeth of a November gale and bring to shore a wounded swan—or be drowned in the attempt to do it. This fondness for field sports and associations, and for out-door life, was not confined to any one class. All partook of it alike, from the gouty aristocrat, who rode to hounds with his swelled foot in a bandage, to the hatless loafer, walking barefoot around the water front in the sunshine or twilight, with his crab-stick in one hand and his bag in the other. The ladies, too, shared the feeling. They rode to hounds. They rode to church on horse-back. They did anything, except consent to stay home. The bridle-path which preceded the road was good enough highway for them. They would go to balls of an evening in their side-saddles, their scarlet cloth riding-habits tied over their white satin ball dresses, their puffed, powdered and pomaded hair covered with a handkerchief—if one could be found large enough to tent the whole amazing structure—their hoops arranged fore and aft so as to avoid contact with the horses' flanks.[3] Often the lady rode to church on a pillion behind her cavalier.

[1] There are several statutes prohibiting negro assemblies and horse-racing at the Quaker meetings at Oxford and in Anne Arundel, to be found in Bacon. They are codified in the Act of 1747, chapter xvii.

[2] Doddridge's *Notes*. He says: "The young warriors, instead of being abashed by the bareness and nudity caused by wearing the breech clout, was proud of his Indianlike dress. In some few instances I have seen them go into places of public worship in this dress. Their appearance, however, did not add much to the devotion of the young ladies."

[3] Irving's *Washington*, ii.

The fondness for field sports was universal. In any other country than this it would have been extraordinary to see so grave, sedate and important an old gentleman as George Washington going fox-hunting with a party of young men, at five o'clock of a frosty morning; or fishing his weirs before day-break, in person, or shooting ducks in November, on a bleak point by himself, or hauling the seine at the head of a yelling gang of Mount Vernon negroes; but here, this was what everybody did, and it was thought to be exactly the thing for a country gentleman to do. The country swarmed with game; the rivers teemed with fish, and the Indians, among whom our early colonists had settled down as friends, were a tribe of hunters and fishers. There were deer, bears, wolves, foxes, squirrels, wild cats and a few panthers in the woods. The colony armed every man; in fact, it compelled every man to carry a gun and learn how to use it, and it compelled all ships at first to pay their port dues in gunpowder and lead, so that every man might become a sportsman. A good shot with the rifle or fusee, who might kill fifty squirrels a day, could earn 100 lbs. of tobacco, that is to say, 12*s.* 6*d.* for their scalps, less the cost of the ammunition. If he shot a wild turkey, it was 2*s.* to him, and in the season, if he knew how to "call" them, he might easily bag three or four a day. A deer "in grease," was worth five or six shillings; so that there was profit in wood-craft to the skillful pot-hunter, and every servant had his Saturday afternoon in which to learn how to shoot.

On the water the Indian canoe, fitted with a keel, two leg-of-mutton sails and a jib, becomes one of the swiftest, most fascinating and dangerous sailing crafts afloat. Their speed is miraculous, and the ease with which they capsize gives a new character to the sport of sailing them. From early times the colonists paid attention to the improvement and development of this graceful boat, which rivals the speed of the Malay prao, without enjoying its immunity from capsizing. In the tide-water sections, the "dug-out" was and continues to be, a much more common and necessary appointment of a farm than the carriage or wagon. Indeed, in winter the canoe has often been seen with a brace of mules harnessed to it, doing the duty of a sleigh, transporting a bevy of laughing girls to the county town. Boat races and canoe regattas were frequent; and when ships from the old country were in the offing, the fastest canoe was able to secure a valid prize in the freshest news. The lugger-rigged canoe is quite as characteristic of our Maryland waters as the centre-board sail-boat, flat-bottomed and broad in the beam, of the Delaware, or the "cat-boat" of Long Island Sound, and other sections farther to the eastward. It is a "development" of the original Indian canoe, just as the Baltimore "clipper," the swiftest three-masted vessel in the world, grew out of the "pinnace" in which Captain John Smith made his first explorations, and in which Claiborne's merry men fought, frolicked and traded with the Susquehannoughs and the Nanticokes. Its model is a singular one, broader and higher in the bows than in the stern, and it is

mechanically as perfect and ingenious as the whale-boat which centuries of contrivance and necessity have enabled Nantucket and New Bedford builders to produce.

After boat-racing and fishing, the sport most in vogue was probably fox-hunting. The fact that our young men were amphibious did not prevent them from being centaurs likewise. Except the moccasined hunters in the back-woods, nobody ever thought of walking when he could ride, and could have a horse for the asking, for the trouble of catching, and bridling, and saddling him. When the deer were driven out of the tide-water counties, foxes still remained abundant, and their chase accorded very well with the vigorous and active habits of the provincials. It was no three or four mile dash across a cultivated country, with hedges, gates, ditches and fences to leap. On the contrary the fox-hunter in Maryland had to prepare himself for hard riding rather than for high jumping. His horse must have bottom above speed and agility. The huntsman threw off the top rail of the worm fence in order to enable his horse to get over easily, for he wanted too much work out of him to run the risk of straining the creature's loins; but, in return, he expected the animal to cover long distances, and to follow the hounds, so as to be in at the death, no matter how long the course. Not infrequently it would take a thirty-mile gallop, through two or three counties, before the brush was secured. We have heard of foxes that were started near Queenstown, at the mouth of Chester River, and not killed until the hounds caught them on the other side of the Peninsula, in Delaware, near Lewes. Often, when hard pushed, the fox would take to the water and swim some creek, followed by the hounds and compelling the hunters to make a circuit of a dozen miles in order to rejoin the chase. In these long rides the huntsmen felt under no obligation to return home the same day, nor indeed for a week, unless they chose to do so. They were sure of a welcome at the plantation nearest to the place where their chase terminated. They were sure to find stabling and fodder for their horses, "pot liquor" and "pones" for their hounds, and a well-spread table and a genuine welcome for themselves. After dinner, cards were apt to be produced, and at night, unless the ladies were away, the fiddler was generally had up from the "quarter," and the dancing was kept up till midnight. This was a trying sort of life for our young men, but they had the physique and the stamina to sustain it. It was not harder work than standing in the water, with thigh-high boots on, shooting ducks for half a day. But it was this severe training in out-door life which made the Maryland "continentals" the very *élite* of the armies of Washington and Greene, and kept the Maryland regiments always the fullest of any at the end of a long march or a severe campaign.

The huntsman always has a pride in his dog and his horse. He gives them pet names and feels the importance of their pedigrees. "Music," "Sweet Lips," "Clarion," "Bell Tongue," expressed in a certain way the impression which a hound's cries made upon the huntsman's ears, of a

crisp, frosty morning, when the scent could be followed breast high, and every echo even was doubly repeated by wood and hill. The Maryland fox-hound had such hard work to do that he needed both size and toughness, and these were obtained by crossing the English fox-hound with the Irish stag-hound and sometimes by an alliance with the beagle, for the sake of his wiry qualities and the ease with which he manœuvres through bramble and undergrowth. The product was not a handsome beast, by any means; but a bow-legged creature, dew-lapped and dull-eyed, roguish and cringing, but cunning as the animal he was trained to chase, and of immense endurance, with a voice of volume and real melody and a nose rarely fallible, unless indeed the boys and negroes on the plantation had spoiled him by surreptitious rabbit-chasing or coon-hunting. The huntsman's horse was apt to be scrubby and sun-burnt, for he was seldom curried and not often stabled, but, in spite of the burrs in his tail and mane, he was sure to have good blood in his veins, and it was not always safe to challenge him for a scrub race. The common country horse was undersized, but he was at the same time tough and swift. His hoofs, seldom shod, were solid as iron, and his thick hide had become impervious to the assaults of horse-flies and mosquitoes. He had no gait but the walk or the gallop, but he could canter on untiringly for the whole day long, and in a way that was as little as possible fatiguing to the rider. Crossed with thoroughbreds, the mares of this country stock produced excellent hunters and racers, and horse racing was ever a favorite amusement of the province. So common in fact were scrub and quarter races at every gathering of the people that they had to be prohibited, by special acts of the legislature, on Sundays, on Saturday afternoons and at Quaker meetings. Regular matched races between pedigreed horses, in the English style, are said to have been introduced at Annapolis by Governor Ogle about 1745, and it was then that the Maryland jockey club was first founded. After this, purse-racing and racing for cups became a regular amusement at every county town during court. Every fall and spring there were races at Marlborough and Chestertown, at Joppa and Elkridge, quite as much as at Annapolis and Williamstadt. The purses varied from thirty to one hundred pistoles, and the best horses in the country were entered for the match. The Chestertown races were particularly celebrated, and on this course Maryland and Virginia often contended together, as also did the gentlemen breeders of Kent and Queen Anne's and Talbot Counties. On the 24th of November, 1766, for instance, a race was run at Chestertown for a purse of one hundred pistoles, expressly offered by the gentlemen of the place, in order to bring together "the two most famous horses on this continent." These were Yorick, of Virginia, and Selim, of Maryland. Yorick had started for and won seven matches and plates, whilst Selim had never been beaten. The race was for four mile heats; it was witnessed by an immense crowd from every part of the country, and was won by the Maryland horse. Governor Ogle was one of the earliest to

import thorough-bred English stallions; but his example was soon followed by others. Figaro, a horse that had never been beaten, and had won purses at Preston and Carlisle, in England, was run at Annapolis, in 1767, by his owner, Dr. Hammond. The usual subscription purse at Annapolis was one hundred guineas. The races generally lasted a week, and were invariably closed with a ball at the assembly-rooms, while Hallam and Henry's Dramatic Company generally managed to be on hand during the race-week at Annapolis and Marlborough, and sometimes at Chestertown. These races were great gatherings always. The ladies were present in force, and many fine old Virginia gentlemen used to drive up in their coaches and bet their negroes on the result. Courts were adjourned and schools dismissed, when the hour for the race arrived, and the negroes were apt to get, or contrive a holiday. Endurance, rather than speed, was the quality expected of the racers. They were wanted for service far more than for dash. The idea of entering two-year old colts never occurred to our people, but on the contrary, horses of the class now styled "aged," were matched, as a rule, in four mile heat races. There is an entire century, and the habits of a people, in fact, between the system (resting, be it remembered, upon the principle of "weight for age") of breeding and training two-year old colts to go a mile at the highest possible speed, and that of bringing out a horse's sinews and muscles in such a way that, when six or eight years old, he can carry his rider twelve or sixteen or twenty miles at a stiff gallop, without faltering. The one system makes horses for the jockey—the other, horses for service. The one system profits the betting fraternity, but the other is to the permanent and substantial advantage of gentlemen.

It must be confessed, however, that some of the favorite amusements of our ancestors cannot be discussed on the same high plane of rationality and humanity. The original colonists were Elizabethan people—people fond of cruel out-door sports, and they brought their taste for such things over with them. The purity of breed of our dogs it was thought quite as necessary to maintain as that of the stock of horses, and consequently, bear-baiting and bull-baiting were regular amusements, the former checked in some measure by the limited supply of bears, but the latter kept up regularly until forbidden by statute. Nearly always, at the end of a race week, there was a bull-baiting, the bull the wildest and fiercest of the neighboring herds, and the dogs generally terriers of some undisputed pedigree. As to cock-fighting, it was at once universal and inexcusable in the light of our modern ideas. Everybody fought cocks, and, in order to fight them with success, paid great attention to the breeding of game-cocks, very often at great expense and personal inconvenience, for a game-cock in good condition cannot be admitted into any poultry yard without disastrous consequences. The fascination of this sort of sport is not to be accounted for except upon the ground of heredity. The present writer recollects having met upon one occasion, an elderly gentleman with a game-cock that weighed over

eight pounds, under his arm. After stroking the bird's magnificent feathers and admiring him in a general way, the writer asked his friend: "Did you ever make anything by cock-fighting?" "*Make!* It has cost me thousands of dollars!" "What do you do it for, then?" The question seemed to be so puzzling that the answer was slow in coming, but finally—"O, it's the prettiest sight in the world!" A main of cocks is certainly a pretty sight—conceding the absence of humanitarians. There is something peculiarly fascinating to the human race in the exhibition of indomitable courage; and a game-cock of good breed shows that probably in a more conspicuous way than any other animal. A cock of this sort has been known to kill his opponent in ten seconds—on the contrary, he has been known to fight a match of an hour's duration; after midnight, and to win it finally, without any critical blow, by simple endurance. A hundred years ago cock-fighting was one of the chief amusements in Maryland, and it was regarded as one of the most innocent of our sports. People whose "doxy" compelled them to abstain from horse-racing, and who would almost have preferred being accused of murder to being charged with going to the theatre, felt no particular scruples about cock-fighting. It encouraged the breeding of a tough and tenacious race of fowls, whose eggs were delicious in flavor, and then, besides, they were "*so* game." All classes raised game chickens, and it is proof of the innate democracy of the people of Maryland a hundred years ago, that nothing so delighted the spectators around the cock-pit, as to see the village carpenter's or blacksmith's cock defeat the splendid "piled" and tenderly nursed favorite of the owner of manorial lands. To-day, cock-fighting is not only a dispraised but an outlawed amusement. It is never resorted to except by gamblers, horse-jockeys, and their dupes, *sub nocte* and in alleys and suburbs, for gambling purposes alone, and if a gentleman should be a furtive visitor, he is ashamed to let it be known.

The in-door life of the Marylander of 1770, was well-nigh as characteristic and as distinctly individualized as their out-door existence. There was a sort of primitiveness, especially about the way of living in the towns and cities, which has so entirely disappeared in the presence of the artificial civilization of the day, that it is a pleasure to the writer, and must needs prove a refreshment to the reader to recall it. In doing so we recall a time when every house-holder kept his own cow and made nearly all the butter he consumed, and when every citizen was acquainted with his next-door neighbor. The philosophy, or at least the economies, of the division of labor were then unknown, at any rate, not appreciated, and every house had its own smoke-house, and every family cured its own bacon, and salted and smoked its own shad and herring, hake and cod. This custom was kept up well into the present century, and there are few houses in the cities of Baltimore and Annapolis, sixty years old, which are without a smoke-house somewhere in the rear premises. The use of coal, and especially anthracite coal, with its accompaniment of close stoves, was absolutely unknown. Wood

was universally used, and in the cities, a dozen or two cords of hickory or oak wood, sawed into convenient lengths and elaborately piled in the cellars, with a cord or two of pine for kindling, was the store gathered in September almost invariably. The days of the wood-sawyer have almost passed, but one still sees now and then the bent-shouldered darkey, with his leather plastron bound upon his knee, his horse, his saw, the razeed boot in which he keeps his piece of bacon-rind for greasing his saw, and the laborious ease with which he accomplishes his task and earns his wages. The fires for which this sawyer supplied fuel of the proper length were liberally kept. The great kitchen chimney in particular used to eat up wood at an alarming rate. To roast a joint, or cook a goose, demanded the "tin kitchen" and ten times the fuel that the modern range exacts. A "Dutch-oven" of biscuit consumed "live coals" enough to make much more bread than by the modern ways, and the "bake-oven," in which pies and loaves were completed, demanded as much wood as a twenty horse-power steam engine.

The houses in which our ancestors lived, were built on the same scale as their chimneys and fireplaces. As a rule, these houses were neither built nor furnished extravagantly, but there were many exceptions, and some of the colonial mansions in Maryland were very stately houses. The house built by Governor Ogle on his Belair estate, in Prince George's County, remains a model of liberality, ease and convenience; it has hardly been surpassed in its proportions and the impression of wealthy, aristocratic ease made by it, by any house of more recent structure in the State. But it would be creating an absolutely false impression if we attempted to set up the idea that the lordly ease, grace and liberality of mansions such as this were characteristic of the style of building resorted to by our ancestors. It was characteristic of a very brief period, the twenty years, perhaps, which preceded, and the twenty years subsequent to the Revolution, when a great many people in the province felt rich with fortunes almost suddenly acquired. The temptation to build solidly and durably is strongest with the *nouveau riche*. The more rapidly his fortune has been got, the greater he feels the obligation upon him to erect brick and stone monuments of a perpetual sort. The Norman castles in England were nearly all built by the generation immediately after the Conquest. The rich lawyers and planters, who built the stately old mansions which may still be seen at Annapolis, and in the lower counties of the western and eastern shores, nearly all got their fortunes between 1745 and 1790. At the fine farm called "Rich Neck," in Talbot County, may still be seen, side by side, by a happy coincidence, the house built by Matthew Tilghman, the founder of his family, and one of the richest and worthiest citizens that the county has ever known, and that erected by his great-great-grandson. The first house could be put in the dining-room of the late structure, and yet it is a substantial, old-fashioned, hip-roofed brick mansion, a story and a-half high, low in ceiling, with narrow passages, and not too many of them—

very comfortable, but entirely unpretentious. The old-time houses were furnished, as a rule, in a very primitive way. Probably no better description of the style of domestic equipment of the time can be found than that contained in one of Mrs. Deborah Franklin's letters to her husband, Benjamin, at the time when he was abroad in Europe, in 1765. In this letter, which has been copied in Watson's *Annals*, the philosopher's excellent wife speaks of the handsome and plain sideboard in the room downstairs, the two tables made to suit it, (mahogany of course,) and the dozen chairs of "plain horse hair" (hair-cloth,) which "look as well as paduasoy." Some of the rooms are papered, because the whitewash is soiled, and the careful housewife notes that the carpet recently bought by her is "nearly new." The time-piece stands in one corner, and in the sitting-room are a carpet, a small book-case, and portraits of "brother John" and the King and Queen. The oven, Mrs. Franklin congratulates her husband in telling it, is all right, as she knows by having baked in it; the chimneys do well—that is, do not smoke—and Franklin's own room has been furnished with his desk, a chest for his manuscripts, a harmonica "made like a desk," a set of musical glasses, a harpsichord, and all his clothes in the closets. This room also contains "the gilt sconce, a card-table, a set of tea-china, the worked chairs, and the screen, a very handsome stand for the tea-kettle to stand on, and the ornamental china." In Mrs. Franklin's own sleeping apartments we are told of a chest of drawers, a bed without curtains, a table, a glass, some black walnut chairs, and some family portraits. The description suits, probably, the interiors of most of the houses in Maryland at the date specified.

The Maryland farm-house and town-house of the day—we speak of the tobacco planter's—was often built of brick, imported from England very cheaply, because needed as ballast for vessels seeking a return cargo of tobacco, and seldom able to get an inward consignment of any heavy goods. It was square, or nearly so, with wide passages and broad porches, and the kitchen was, as a rule, detached or semi-detached. But at this time a much more primitive style of architecture was in use in the part of the State west of the Monocacy and removed from salt water. This, in fact, was the familiarly known "log cabin," the interstices between the logs chinked with either clay or mortar, and the chimney built outside of the cabin, either of stones or sticks united with clay. This sort of house was occupied by all our pioneers, and by a great number of the early settlers of Frederick County and the sections west of it—a class of people who built far bigger barns than houses, and cared for and foddered their stock before they thought of housing their families and themselves. The log cabin was in effect a much more substantial and capacious structure than it seemed to be to the superficial observer, and when well built was warm in winter and cool in summer, and dry at all seasons. It was likewise durable, if not overloaded with too great a weight of roof. Country carpenters and joiners acquired considerable skill in the art of building these log houses, from the fact that all barns and

"tobacco houses" (of which every extensive plantation required several), were constructed on this plan. The favorite style of building of the stout Germans and Palatines of Frederick County and Western Maryland contemplated a house that was seldom more than one story high, but had large garret rooms and a deep cellar, generally well filled. The chimney, an immense stack, was in the middle of the building, to accommodate the kitchen, which was also the living-room, and had a great fire-place furnished with pot-hooks, and cranes of massive construction. There was often a "stove room" on the opposite side of the chimney, and in this case, this became the living-room and was equipped with a long pine table and permanent benches on each side of it. The bed-rooms in these houses were not very elaborately furnished. The painted bedsteads were supplied with straw beds and "feather decks" for covering. But the house-keeping was always neat and clean and the larder liberally supplied. The "Dutch" house-wife wore a short gown and petticoat and concealed her flaxen locks beneath a calico cap of most unprepossessing shape; she milked her own cows, and often worked a field in busy seasons, but, at the same time, she made the best bread in the world; the barrel of sauerkraut and the other barrel of apple-butter in the cellar never seemed to grow less, though called upon four or five times a day; her butter was rich and golden all the year round, and her curds, her "schmierkäs" and her cheese were all enticing. Every such farm had its abundant apple orchard and its rows of cherry trees, and there were plenty of home-brewed drinks in the cellar besides cider.

In the wilderness proper, the "backwoods" in reality, the log cabin was still further modified to suit the exigencies of a rude people and became what was called a "half-faced camp," a cabin inclosed only on three sides, the front, protected from storms by a sort of veranda, left open in lieu of windows. This was the hunter's cabin, generally swarming with children, its walls hung with peltries, and a cheerful wassail kept up all the time with "hog and hominy," deer's meat and bear's, johnny-cake and pone, mush and milk and cider—where it could be had. One great advantage in the construction of this, and the more elaborate sort of log house was the fact that no scientific joiner's work was required in their erection. As soon as the logs were got together and hewed, the neighbors were notified that there was to be a "house-raising." They assembled at the appointed time, the house was put together in a few minutes, and then there was a pot-pie for all, with cider, and, very likely, something stronger. In this way each man was enabled to have his own house in the shortest possible space of time, and without needing to wait for skilled labor, at rates of wages impossible for him to pay, in places where nails were almost worth their weight in gold, and a jack-plane was a fortune to an entire settlement—where furs and pelts were the only certain currency, and a bushel of salt would buy a cow and calf.[1]

[1] Cf. Kercheval's *History of the Valley of Virginia.*

The "Sot-Weed Factor," in the course of his Hudibrastic peregrinations in Maryland, makes mention of three different kinds of houses at which he sojourned while in the State, and his descriptions are very valuable on this account. The first house to which he came was apparently that of the ordinary up-country planter; the tavern in the county town is next described, and after that, the mansion of the "cockerouse,"[1] or person of quality. These descriptions are sharply enough individualized to convince any one of the fact that the sketches are drawn from nature, and this, with the good observation of the writer, and his wit and evident purpose to avoid all sorts of flattery and extenuation, gives exceeding value to his sketches. At the old planter's house our author was received with the utmost courtesy, upon his simple statement that he was a gentleman from the old country. He was entertained all night, and the next morning was furnished, free of expense, with a horse and an escort, in the shape of his host's young son, to the county town. The ancient planter's was a "smoky seat," but his primitive hospitality, of the most hearty sort. The guest, arriving about nightfall, found the planter and his servants and apprentices "drinking for a whet," before supper, from a cask of cider "on the fret." When the supper was served, our voyager ate while he could, of the

> "hearty Entertainment
> Of Drink and Victuals without Payment;
> For Planters' Tables, you must know,
> Are free for all that come and go."

The banquet, however, was not altogether to our cockney's taste. Pone and milk, mush and milk, in wooden dishes, hominy and "cider-pap" (small hominy boiled in cider) with fat bacon fried, and "dulcified" with "molasses," were not precisely such fare as his squeamish stomach was accustomed to. Incidentally our factor mentions, in addition to his landlord's "smoky seat," (showing the defective character of the chimneys in certain winds) that the "couch" upon which he sat was of leather, and greasy. It is also noteworthy that the old gentleman, after supper, when his pipe was smoked out and his sons and the servants had left the low-ceilinged living-room, went to his chest—"of all his Furniture the best,"

> "Closely confined (i.e., under lock and key) within a Room
> Which seldom felt the weight of broom"—

and lugged out a runlet of rum. "I find," he said to our cockney, "that you do not much like our Indian country fare, but here is some of the pure stuff." To verify his words, the planter lifted the keg up to his lips and quaffed a mighty draught from the bung-hole. Our cockney imitated him and very soon found it needful for him to go to bed, to which he was escorted by the chamber-maid mentioned on an earlier page. The bed was made of feathers "soft and good," and stood in the chimney corner of a room—the best bed-room probably—upon the ground floor, into which cats, dogs, pigeons and poultry

[1] *Cockerouse* was an Indian word signifying "chief" or "great man." Soe Berkely's *Virginia*.

intruded with annoying ease, so that our visitor felt compelled to seek the orchard before day-break, in order to get some fresh air, and even here the croaking frogs disturbed him sadly. At breakfast the attractive dish was a rasher of bear's meat, the bear being a cub which had never eaten any other food save milk and chestnuts, and our friend seems to have feasted heartily upon it, washing it down with another draught of his host's rum, this time poured out into glasses. The Sot-Weed Factor's account of his visit to the county town is much more graphic than pleasant to dwell upon. He went, he says,

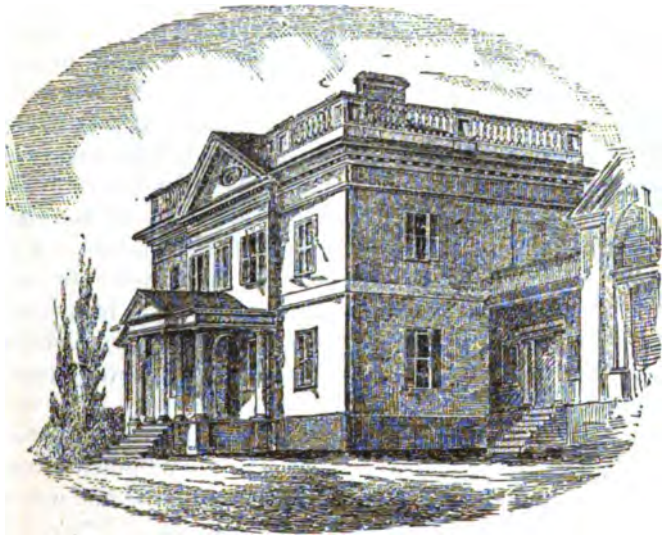
"To view the crowds did there resort,
Which Justice made, and Law, their sport."

There seem to have been many more people in the county town on this court day than the place had room for. The first thing our visitor saw was a throng of "roaring planters on the ground, drinking of healths in circles round;" their horses hitched to a tree. Our factor and his guide, after looking about them, were fain to sit like others on the ground, "carousing Punch in open Air," until the court was called. The "planting rabble" having come to some sort of order, "their Drunken Worships likewise set," and the court, according to the factor's account of it, wound up in a general "set-to" between jury, lawyers, judge and bailiffs, with the sheriff on the watch for stray wigs and possible new indictments. Our factor now seeks his inn, of which he says:

"Where all things were in such Confusion,
I thought the World at its conclusion;
A Herd of Planters on the ground,
O'erwhelm'd with Punch, dead-drunk, we found;
Others were fighting and contending,
Some burnt their clothes to save the mending,
A few, whose Heads, by frequent use,
Could better bear the potent Juice,
Gravely debated State Affairs."

The picture is a graphic one, whatever its truth. The factor, finding every room and bed in the inn occupied by some drunken guest, seeks refuge in a corn-crib. When he wakes in the morning, he finds his hat and shoes gone, and that his escort had been completely stripped and left to get sober, naked upon a table, while both the horses were gone. In this emergency the factor buys himself some new clothes and goes home with the "Cockerouse," whose civil and polite conversation attracts him and who entreats him "to take a Bottle at his Seat." This gentleman of quality's "Seat" is described as "an antient Cedar House," with a gate to approach it by, and sturdy oaks and lofty vines surrounding it. The table was well kept, supplied with wild fowl and delicious fish; venison and wild turkeys were next served, all seasoned with a most hearty welcome and abundance of choice Madeira—too much, apparently, for our author, who seems to have had to withdraw quite early in the siege.

There is a certain indescribable atmosphere of comfort and liberality about this "antient cedar house" of the Cockerouse's, which probably belonged to nearly all the more pretentious mansion-houses of the planter's class in Maryland. It is almost impossible to present a vivid picture of one of these old plantation mansions to a person who has not seen one or visited at one. The first thing which struck the visitor from other sections was the liberal disposition of the grounds, as if the value of land for cultivation had not entered into the account at all. If the plantation were situated upon the water, it was generally the case that the formal front of the mansion was towards the "main road," and that a "lane," fenced, and decorated with planted trees in formal rows, and terminating in a "circle" before the door, was a leading feature of the place. The mansion house always had a porch,



RESIDENCE OF WILLIAM PACA.

and here, as you drove up, the planter or some member of his family (in his absence) was always ready to receive you. But, before entering the house, it is worth while to notice the extensive appointments and outbuildings, usually strung out in single lines upon the right and left of the mansion, and including kitchen, dairy, ice house, "meat-house," hen-house, carriage-house, corn-houses, granaries, stables, "quarter," "overseer's house," etc., etc. On a large plantation, the servants' "quarter," if not a succession of cabins, was apt to be the largest building on the place, and was sometimes a square log house fifty feet by fifty, thirty feet high, with a great dirt-floor living-room below, and five or six bed-rooms, with a ladder to get to them, on the second floor, each room fitted up with bunks, and each bunk provided with its mattress and blanket. Seven-eighths of the negroes, however, inhabiting such a

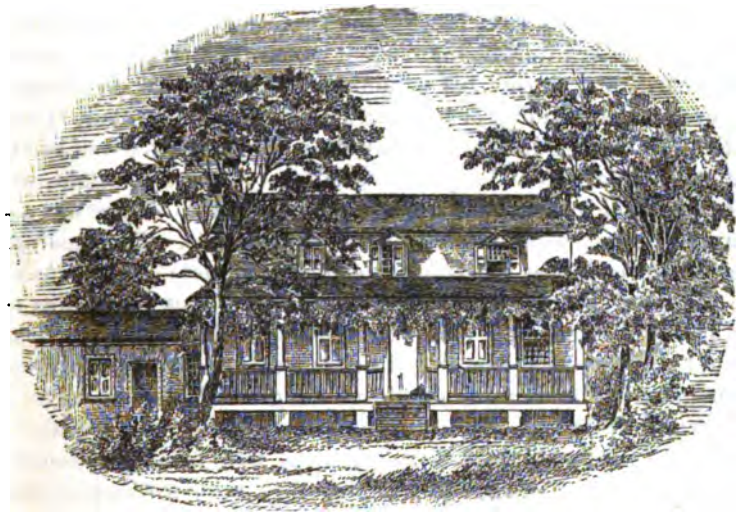
quarter would sleep before the fire in the big room on the ground floor, wrapped in their blankets, with their feet to the fire and a plank or a couple of fence rails their only pillow.

Manors and large plantations nearly always had their own mills and ground their own flour and meal and beat their own hominy, just as they cured their own bacon. A clumsy wind-mill was a frequent and picturesque appointment of the old tide-water plantations. The meat-house, the granary and the meal cellars of a large plantation had of course to be extensive. Where fifty hands were employed, room had to be made for 10,000 pounds of bacon, and the consumption of meal was nearly 3,000 pounds a month. All the people at the "great house," (for so the negroes called the mansion,) had their own horses, and a good many of them their own private vehicles, and there must be roofs for all. The corn-house, the granary, and sometimes the stable, were kept locked at night, the keys either being in charge of the overseer, or brought to the "great house" at night-fall by some trusted negro foreman. But the "great house" itself was never locked, and its hospitable door was seldom closed except in mid-winter. It was never too full, though there were twenty guests for every room in it; and, liberal as was the scale upon which it was built, it was seldom big enough to satisfy its owner's notion of hospitality. In their ground plan, nearly all these old Maryland houses were alike, while differing widely in details of construction. A broad and liberal porch, giving shade and air, was the frontispiece to every house. Here the planter and his family sat in the day-time, in arm-chairs and rocking-chairs; and here the young people "courted" by night, while the moths helped the candles to gutter in-doors and paterfamilias dozed over his pipe and the last week-old copy of the Maryland *Gazette*. After the veranda, the most essential feature of every house was the hall-way, a broad passage opening through the house, so as to catch and utilize every breeze. Upon this, nearly all the ground-floor rooms of the house opened, and here the ladies of the household usually sat and sewed and gossipped. The old Maryland mansion had other distinctive traits. It had a parlor that was intended for use rather than for ornament, and which was consequently kept open and familiar with the sunshine, and a dining-room of generous size, in which the sideboard and the dinner-table, both of mahogany, were the most conspicuous features. Upon the sideboard, the decanters of wine, brandy, rum and gin, and the flasks of delicate cordials, stood out the livelong day, inviting all who chose to partake. They were not emptied any sooner because free to all.

Usually, the chief bed-room was on the ground floor also, and here the planter and his wife and the infant children slept. All the second floor was devoted to bed-rooms, and it was seldom that a night came when the ancient four-post bedsteads were entirely unoccupied. The furniture of these rooms was not extensive. The floor was generally covered in whole or part with an ancient carpet that had already done duty in the parlor; there was a chest of drawers, a mirror, a wash-stand and two or three old chairs, of mahogany or

walnut. But there were plenty of servants for every room, and the attendance was better even than at our first-class hotels. You might be sure of a negro to wait on you at night after the late card party, and you might rely also upon receiving a julep in the morning—the manufacture of your host's own hand, and brought to you by his own *major-domo.*

There was a good deal of luxuriant pleasant ease in these old family mansions. The table was well supplied and the cooking superb. The cellar was full of choicest wines, and it makes a man's mouth water to read of Antigua rum at fifty cents a gallon; old French brandy less than two dollars, and Madeira, port, sherry and burgundy to be had in their best forms for a dollar a gallon. These were set out upon the sideboards in old-fashioned cut-glass decanters, surrounded by a curious collection of wine-glasses and tumblers,



RESIDENCE OF THOMAS STONE.

and it was regarded as scarcely civil to refuse to "take something." There was not a great deal of this sort of impoliteness in 1770. Even the reverend clergy were full of this sort of amenities, and sometimes were induced to take too much Madeira in consequence. The rate at which good wines were drunk at this period is illustrated in the letter previously referred to, from Stephen Bordley to his London factor, in which he orders champagne by the cask, and Madeira by the pipe, as well as "a few dozen of the best Burgundy."

Two characteristic appointments belonged to nearly all these old mansions: the family burying-ground and the coach and four. The latter was a State affair entirely, with leather springs and jolting motion, in which the ladies of the household grumblingly rode because fashion demanded the sacrifice. In it they paid formal calls, and went to church and to races, a negro coachman driving, and the team consisting of four wild ponies that would go any gait except trot together. On out-of-the-way country roads,

one of these ancient vehicles (or its descendant) may still perhaps be seen, and the writer pleasantly remembers one such coach, filled full of a bevy of laughing girls, and driven by a negro woman in a linsey-woolsey frock, bare-headed and bare-footed, who handled the reins with an air of comical importance. The family burying-ground was usually an inclosed space within sight of the house, oftenest a corner of the garden, and contained the tombs of three or four generations of the same name as the immediate owner of the plantation.

The town houses were usually small and unconspicuous structures, suited to the modest ambitions of the commercial class. The merchant dwelt in the same building or the one adjoining to his "store," and his chief customers were not only invited into his house, to the side-board, but were asked to dine, to sup, and to lodge with the man from whom they bought. Public buildings were poor and mean, as a rule, because they were not built on credit, but out of the taxes collected during the current year. The structures erected by Governor Sharpe and during his administration, are rather an exception to this, however. The building of Fort Frederick and of the "Stadt House," at Annapolis, were costly adventures. Churches were constructed of brick, in a plain but substantial way. They were usually two stories in height, with an immense expanse of roof, and the doors in the gable ends. There was a single aisle running down the middle, with pews on each side. The reading desk was either at the end, near the altar, or communion table (which was always opposite the door), or else underneath the pulpit. This pulpit was at the side of the church generally, elevated high above the congregation, a box, which could only be reached by a winding stair-case, railed on both sides. It was surmounted by a funnel-shaped sounding-board, like a huge extinguisher, swung from the ceiling. The pews, which were square boxes often seven or eight feet high in their partitions, were furnished according to the taste and means of their owners; and they were fee-simple property, transmissible by will, just as any other real estate. "Hanging pews" were a curious feature in many churches, where, all the ground floor pews being owned and occupied, new-comers in a diocese obtained leave of the vestries to construct for themselves little galleries or pew boxes against the walls, above the other pews and on a level with the pulpit. These pews likewise, were held by the same tenure as real estate.[1]

[1] Some of these facts about the churches have been derived from the MSS. collections of Dr. Samuel A. Harrison, of Easton, for a history of Talbot county—one of the most thorough, exhaustive and valuable collections preparatory to a county history which have ever been made. Eddis, in his letters, speaks of the general appearance of Annapolis on his arrival, and his observations are the foundation for what has been said above of town houses and public buildings. He describes the exterior of St. Ann's Church as being mean, but the congregation large. The public buildings were poor; the court-house was mean, neglected, decaying, "the emblem of public poverty." He commends the Governor's house, however, but forgets to say that it was built out of the issue of £90,000 bills of credit. For the rest, Annapolis presented to him more the appearance of an agreeable village than the metropolis of an opulent province; but he admits that, while "the buildings in Annapolis were formerly of small dimensions and of an inelegant construction, there are now several modern edifices which make a good appearance. There are few habitations without gardens, some of which are planted in a decent style and are well stocked."—Page 18.

Each town of any consequence in the province had its assembly-room, where public meetings, and especially balls, were held, and where theatrical performances were had. We have seen from the Goldsborough papers, a rude sketch of the assembly-room and club-house at Marlborough, a one-storied structure, of modest proportions, with hip-roof, but large windows. A theatre was built at Annapolis to accommodate Hallam and Henry's troupe, on land furnished by the vestry of St. Ann's Church, and near adjoining to that sacred edifice. In every town, taverns and coffee-houses were numerous, and the latter, which have now entirely gone out of vogue, were much frequented by all classes of the townfolk, while they supplied to the commonalty at once a club-house and an assembly-room. These coffee-houses were the scenes of many excited discussions in the days and nights preceding the Revolutionary War. In the popular balls held at these places, the people drank rum and danced jigs and hipsaws. At all public celebrations, such as the king's birthday, the lower order met, were entertained, and had plenty to drink in the coffee-houses. Such entertainments were given to Governor Sharpe on his visit to Baltimore; and similar ones in celebration of the return of peace, in 1783, and of Washington's visit to Annapolis, the same year. The eating and drinking on such occasions were solid. Thus, for the "rejoicing" for peace, the State bought of James Makubbin a hogshead of rum (one hundred and sixteen gallons, at 6*s.* 6*d.* per gallon), and of George Mann, forty-nine gallons of claret, thirty-two gallons of Madeira, thirty-five of port, six of spirits. It also purchased fifteen pounds of loaf sugar, one hundred and seventy-six pounds of bacon, two hundred and eighty-four pounds of salt beef, fifty-two pounds of shoat, one hundred and twenty-six pounds of mutton, two hundred and seventy-two of veal, one hundred and eighty-three pounds roast beef, seven lambs and twelve fowls. For the ball with which the rejoicings wound up, there were supplied eight gallons of wine, four of spirits, beef, hams, tongues, chickens, turkeys, tarts, custards, cheese-cakes, five hundred and ninety-two loaves of bread (for the mob again), twenty-four shillings' worth of cards, and a box of candles. The State had also to pay Mr. Mann for thirty-five knives and twenty-nine forks lost, and for twenty-eight plates, forty-three wine glasses, one dish and sixty-one bottles broken. When the Dauphin of France (the son of Louis XVI.) was born, the sum of £418 15*s.* 10*d.* was spent in rejoicing. At the Washington reception, December 22, 1783, Mr. Mann was called on to furnish a supper at the State House, ninety-eight bottles of wine, two and a half gallons spirits, nine pounds loaf sugar, a lot of limes, music and waiters. A dozen packs of cards were also supplied, and the governor ordered Cornelius Mills, at the coffee-house, to furnish the populace with punch, toddy and grog to the value of £10 10*s.*

The assemblies and the clubs were perhaps the two most distinctive features of old Maryland society as contradistinguished from the homogeneous character of social reunions at the present day. The assembly was

common to the fashionable society of the whole country; the club, introduced probably by the many law students sent from the State to study in the Temple and the other various Inns of Court, was certainly a peculiarity of society in the peninsula south of the Patapsco, which is generally known as the "Western Shore." No traces of these clubs are to be found on the Eastern Shore, where there was a society quite as refined, though perhaps less mobile, and as rich as in Anne Arundel and Prince George's. Later in the day there were clubs in Baltimore, especially after the opening of the present century, but these were rather literary than social, and their meetings were illuminated more with wit than with the glow of the blazing punch-bowl.

Amongst the papers of the late George L. L. Davis, we have found some minutes of a conversation which he had some twenty-two or three years ago with Colonel Richard Burgess, of Washington City, apropos of the old Marlborough Assembly balls, once so famous. "I retain," said Colonel Burgess, "a vivid recollection of the state of society during my youth in Prince George's County, and I attended many of the horse-races, balls, plays, and other diversions of that period. They were then under the management of the oldest and most distinguished gentlemen of the county; the strictest order and decorum were observed, and a special regard was paid to the nicer points of etiquette. There were many horse-races in Prince George's, and it was very much the practice of the gentlemen and ladies of the county to attend the races near Georgetown, at Upper Marlborough and elsewhere. The planters laid aside their spare money, and, with the savings thus secured, they made up a purse. Many of the horses were very fleet. Drunkenness and disorder of every kind were severely frowned down. The ladies were delighted to attend, and nearly always a handsome ball was given to wind up the festival. The ruins of the old assembly rooms at Upper Marlborough are still conspicuous. It was used for a variety of purposes—for plays, balls, recitations by a musical class, of which I was a member, and which Bishop Claggett sometimes attended, and anniversary dinners on the Fourth of July. You call it the club house. There was another club house in the forest, not far from the residence of the Bowies, and about six miles from Westphalia, the family seat of the Burgesses. I frequently attended the balls given there. The crowd was very great, and I remember that, upon several occasions, I slept in the ball-room myself. The balls at the Forest Club House, (to give gentlemen and ladies an opportunity to return to their homes and so get comfortable lodgings) commenced at three o'clock in the afternoon and closed at twelve, midnight. Those at Upper Marlborough were kept up to a very late hour, sometimes till nearly daybreak. We occasionally had very fine actors at Marlborough, some of the most eminent in the county at that time. I remember the names of Warren, Blisset, Wood, Barret, Mrs. Warren, Miss Western and others. The plays performed were representative ones. When we had a grand theatrical season or entertainment, the houses at Upper Marl-

borough were crowded, and so also was every householder living within five miles of the town. Many ladies and gentlemen came in their handsome and costly carriages and chariots, with postillions and outsiders in livery, from Georgetown, Alexandria, Baltimore and other places. A ball was given the first night after the play. There was generally a dance on the third night also, on which the races and theatrical season usually ended. The assemblies, or balls, were founded upon and supported by the subscriptions of gentlemen, renewed every season. Assemblies at Upper Marlborough and the club house in the forest were given once every month during the season, the ball usually beginning at 8 o'clock P. M. [and ending when the period of satiety set in]. Occasional balls were also given at Nottingham, Piscataway, and other places. The gentlemen dressed in short breeches, wore handsome knee-buckles, silk stockings, buckled pumps, and so forth. The ladies wore—God knows what! I can't tell! The aristocracy were fully represented; the best manners prevailed, the suppers at the assemblies were sumptuous and elegant, and it was *en règle* for gentlemen subscribers to contribute partridges, woodcock, canvas-backs, etc., out of their private game-bags. At these assemblies intoxication was not tolerated, and all persons who showed signs of it were promptly removed from the presence of the company. The managers were always present, and did their duties faithfully. The manners of the gentlemen at these assemblies were generally refined and elegant, courteous, and somewhat pompous and ceremonious. The most fashionable dances were those simple "contra dances," called country dances, with which the ball was both opened and closed, cotillions, reels, etc. As yet, the waltz was not—on this continent, at least. The music comprised two or three violins, with maybe a flageolet, a flute, or a clarionet, and, for the end sought, was nearly always good. Card parties were a regular feature at these entertainments, and the game usually played (always for money) was the now obsolete one of long whist, next to chess the best game in the world.

At these assemblies, of which we have presented so graphic a picture, the best society (a phrase which meant much more then than now,) met one another. In the towns and cities at least, the assembly balls were very exclusive, and rather high-priced. The subscription to the Baltimore assembly-rooms immediately after the war, was £3 10*s.*, equal to about $12 in the money of these degenerate days. At these rooms the subscribers and their guests got no more than tea and rusk for their entertainment—unless they paid additionally for it. The assembly balls at Annapolis were very well attended, and it is on record that Washington and Mrs. Washington were frequently among the guests. According to Eddis, these assemblies were held every fortnight during "the season," at Annapolis; there was a large room for dancing, card rooms at each end of the hall, and all the rooms were well lighted, albeit the only illuminator of the period was the candle, of tallow or wax, and the common lamp for oil.

The clubs were a very peculiar feature of a portion of our Maryland society. The fact that we do not find them—or at least that we find very few of them—in any section remote from Annapolis, encourages the belief that they were originated by the young lawyers and collegiates of the capital city of the province, upon the basis and from their recollections of institutions of the sort at that time growing to popularity in London. These clubs, however, no matter what their origin, are too important to be passed over. The South River Club has somehow survived to the present day, and the Tuesday Club, of Annapolis, if its records have been accurately kept, at least deserves to have so survived. The latter was an assemblage of wits, who satirized every one, and did it successfully. Some of their squibs and portraitures even now pass current, and the incomplete memorial of their transactions is among the most curious originals preserved in the Maryland Historical Society's archives.[1]

The habits of life of the people of Maryland were still simple in those ancient times. In the cities and towns, especially where there was any trade with the West Indies and the up-country, the merchants, with a sharp eye to the main chance, and to the increment of their capital, were frugal and thrifty as regards general expenditures, but alert and venturesome when it came to operations for "the firm." On the plantations, on the contrary, the style of living was almost from hand to mouth and exceedingly extravagant. The planters mortgaged their crops in the most reckless fashion—in a fashion, in other words, which up to 1861 was perfectly familiar to the factors who furnished supplies and cash to the planters of the western shore of Maryland. So long as slave labor existed, a "crop" of tobacco paid all advances and the interest also upon the mortgages created upon the estates; but the personal expenses of the planters continually involved them in new debts, and, when slavery was abolished, in general insolvency. Eddis notes this absence of frugality, and says of our people that they too often mistake

[1] The "Homony Club," founded later, was more or less political in its membership and purposes, but the Tuesday, the Independent, Thursday, and most of the other clubs, were exclusively social, and as the ladies, who were generally excluded from their sessions, complained, were usually organizations of men to encourage steady smoking and hard drinking. The records of the Tuesday Club, which extend over the space of ten years, are that of a society of the most distinguished and influential men of the ancient capital, graduates of the British universities, and wits of the first order. They kept "high jinks" after the manner of that society to which Guy Mannering was introduced in his pursuit of Lawyer Pleydell; but their records, most faithfully and elaborately kept, abound with examples of a steadfast pursuit of wit and poesy. The club met at the houses of members in regular alternation, and each member was bound to provide his own sand-box as a spittoon, in order to save the carpets. Offensive topics of conversation were dealt with by the "gelastic" method and laughed off the floor. At suppers, it was ordered that the first toast should always be "the ladies;" after that, "the King's Majesty;" and after that, "the deluge." There was much singing, some of it probably very good; and Parson Bacon, the learned and venerable compiler of the laws of Maryland, the folio volume often enough referred to in these pages, was elected to honorary membership, on account of his accomplishments as a fiddler, thus becoming, as it were, the Friar Tuck of this jovial society. the mottoes of which were "*Libertas et natale solum*" and "*Concordia res parvæ crescunt.*" It is to be regretted that we are forced to add that there was a deal of doggerel in the club's poetry, and of indelicacy in its conundrums and jokes. The age was coarse, and the club accurately reflected it.

profuseness for generosity "and impair their health and their fortunes by splendor of appearance and magnificence of entertainment." It is probable that this bill of indictment still lies against our people, in spite of the fact that most of our "magnificent" entertainers now lie under the sod of their mortgaged estates. Annapolis was peculiar for its quick importation of foreign fashions, and for the "modishness" of its society in general. The newest play, the newest head-dress, the newest pattern of India silk came into vogue there almost as soon as at Baltimore, and George Selwyn, the club paragon, was probably imitated—even *longo intervallo*—by the well-taught "maccaronis" of our provincial city. The "luxurious pleasant ease" of society in Annapolis at that day has often been commented upon. All the best people dressed well, and the laces and brocades of the ladies are as traditional as the ruffles and velvet worn by the gentlemen. Costumes of this sort, of course, pre-supposed gentlemen and ladies competent to wear them.

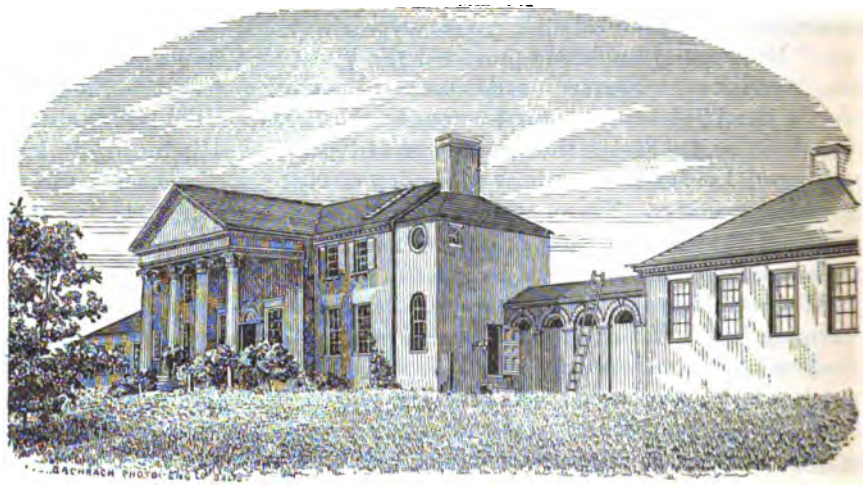
A society possessed of so many resources might easily be trusted to make the best use of them and enjoy them heartily, and that is what the early Marylanders certainly did. The genuine "old Maryland way," was one of the heartiest and most cordial which can be conceived. It comprehended the utmost scope of hospitality, all houses always full of guests and a busy succession of visitings and convivial meetings, such as engaged almost every land and water vehicle in the entire province. Yet, to show what lack of appreciation of this sort of thing existed as far down as 1790, it is only necessary to quote from the Maryland *Gazette* of that year, in which it is sagely said that, "The inhabitants, except in the populous towns, live on their plantations, often several miles apart from each other, and, to an inhabitant of an Eastern State, they appear to lead very retired and unsocial lives. The effects of this solitude are visible in the countenances, as well as in the manners and dress of many of the country people. The pride which grows on slavery and is habitual to those who from their infancy are taught to believe and to feel their superiority, is a visible characteristic of the people of Maryland. Hospitality to strangers is equally universal and obvious." How differently Eddis, an actual observer, and in some respects an acute one, writes: "The quick importation of fashions from the mother-country is really astonishing. I am almost inclined to believe that a new fashion is adopted earlier by the polished and affluent American than by many opulent persons in the great metropolis; nor are opportunities wanting to display superior elegance. We have varied amusements and numerous parties, which afford to the young, the gay and the ambitious, an extensive field to contend in the race of idle competition. In short, very little difference is in reality observable in the manners of the wealthy colonist and the wealthy Briton." Again, in describing his visit with the governor's party, to Paca's Island, he dwells with unction upon the urbanity, the good taste, and the profuse hospitality of his entertainers in tones which disclose the very strong impression made upon him by the comforts and elegancies which he saw everywhere around him. The "old

Maryland way" had evidently captivated the cold but honest and decent young Englishman who came to Annapolis to make his living out of the collection of the customs. In the pleasant memoir of the Bordleys to which we have so often referred, are a good many sketches of the mode of life at Annapolis and throughout the province, which are certainly appetizing. Stephen Bordley's letter-book, in fact, and the diary which John Beale Bordley seems to have kept, are records of the most precious sort, and it is to be earnestly hoped that they have been scrupulously preserved by some of the Gibsons, Mifflins or Shippens, to whose care they came by inheritance. Stephen Bordley's house in Annapolis, bachelor establishment though it was, was well furnished. There was an abundance of the best wines in the cellars, Burgundy, and Champagne by the cask, and Madeira by the pipe. There were complete suits of household furniture, plate, table linen, etc., imported from England, together with a large and well selected law and miscellaneous library. Bordley lived well. He had a good patrimony, a successful practice, lucrative offices, and spent his whole income, although he had no wife. He was a man of fastidious tastes, and, besides ordering the very best wines and brandies, (the judges always made a point of dining with him when they came to Annapolis) he bought the best wigs, the finest Holland linen, and the best cambric to be found in London. Gout and paralysis cut somewhat short the career of this fine old Maryland gentleman and excellent lawyer. His younger brother, John Beale Bordley, albeit rich, felt constrained to divorce himself from the luxurious, pleasant ease of the fashionable society of Annapolis, on account of its temptations and cost to a young man, and went to live with his newly married wife at Joppa, in the then wilderness of Baltimore County. Here, with the most lucrative clerkship in the province his, Bordley spent thirteen years on a plantation hard by Joppa, raised his children, enjoyed his ease, acquired a taste for fox-hunting, invested his surplus income in land, and extended to all a generous, but judicious hospitality. Afterwards, his brother-in-law, Philemon Chew, bequeathed to Bordley the half of Wye Island, the other half going to the Pacas, and here Bordley removed, still spending his winters in Annapolis, where he was the intimate of the Carrolls, Dulanys, Johnsons, Scotts, Brices, Jenningses, etc. "There," says the memoir, "in elegant retirement, adopted into a well-educated and affluent circle of neighbors, who commanded from their own estates, with ease, all the comforts and luxuries of life, he became still more than ever attached to rural life and its concerns," etc. This generous old farmer, who had made £900 on a single shipment of wheat to Barcelona, and who was an epicure in his tastes, decided when the colonial troubles began, that he at least would adhere to the policy of non-importation. When his foreign wines, beers, porters, ales, etc., began to diminish in his cellars, he started a brewery of his own, and planted out a vineyard. He ground his own flour in his own windmills; made his own brick in his own brickyard and kiln; clothed his servants in kersey and linsey woolsey, manufactured by his own

looms from fleeces of his own raising; hackled, spun and wove his own flax; rotted and twisted hemp grown on his farm in his own rope-walk; did his own carpentering and blacksmithing, and had his own private granary for the ships. When this independent Maryland farmer's beer was fermented, he put it away in casks made by his own carpenters, from timber cut out of his own woods, and he even manufactured his own salt, from the Chesapeake Bay water, rather than be dependent upon Great Britain for anything. At Wye Island, Mr. Bordley lived like an "independent farmer." Says the memoir: "Add to these (names of regular guests) the accidental visitors, who were liable to come in the genuine old Maryland way from every point of the compass, and there was assembled always a happy, often a large company, amusing themselves as they best liked in the luxurious ease of Maryland hospitality; most of them remaining from May to November, any occasional vacancies being soon filled up." "With his neighbors," the narrative goes on to say, "Mr. Bordley uniformly preserved the pleasantest terms of social ease and friendliness. Frequent interchange of civilities with the Pacas, the Lloyds, the Tilghmans, the Goldsboroughs, the Hollidays, the Haywards, the Chamberlains, the Blakes, the Brownes, the Helmsleys, the Hindmans, etc., kept up through the fair season a busy succession of visitings, dinners and various convivial meetings. These, with neighborly attractions, fruit to the sick, etc., kept the batteaux and canoes constantly plying, and banished every unpleasant thought of being on an island. Visitors to Mr. Bordley not unfrequently came from the Western Shore, as for instance, Governor Plater and his charming family, the Brices, the Ridouts," etc. When in season, well replenished baskets of fruit stood in the hall; the "cool tankard" of sangaree or lemon punch was prepared every afternoon the year round, and the host and all his guests were expected to dress for dinner, an elaborate ceremony, which included shaving, hair dressing, and clean ruffles. The dinner table was "amply supplied with well prepared viands," a blessing was asked and a "grace" said, and there was always a decanter of Madeira with the dessert. Tea, in warm weather, was served upon the lawn, and the table abundantly supplied "with every suitable luxury," (so the account has it), "from either India and from a well-stored dairy and larder; with every variety and preparation of fruit and with merriment warm from the hearts of various ages. Sometimes, in the midst of this gay, clattering hilarity, the whole Lloyd family would suddenly appear, the noise of their ten-oared barge having been lost in that of tongues. Then there was an accession of mirth and conviviality from those gay, good humored neighbors. Such was the general mode of Mr. Bordley's summer hours, an evening seldom passed without visits, either given or received; and the favoring moon was uniformly counted for a lengthened enjoyment of converse after a sultry day."[1] *Mutatis mutandis*,

[1] Inseparable from these old family mansions was the staff of old family servants, slaves in a comfortable, easy servitude, with the assurance of being well cla1, well fe1, well house1, and of being faithfully cared for in their declining years. The coachman and butler in these households were apt to grow to be pompous old swells, lazy and good for nothing but to brag of "de

the people generally throughout the province lived in this liberal, open-handed way, each according to (or rather generally beyond) his means. The Abbé Robin, whose *Nouveau Voyage dans l'Amerique* is an authentic and valuable study of American manners at the Revolutionary period, wrote in regard to Maryland expenditures as follows: "As we advance towards the South we find a very sensible difference in the manners and customs of the people. In Connecticut, the houses are placed on the public roads, at small intervals, and barely large enough to accommodate a single family, and are furnished in the most plain and simple manner; but here are spacious, isolated habitations, consisting of several edifices, built in the centre of a plantation, and so remote from the public road as to be lost to the view of travellers. These plantations are cultivated by negroes. The furniture of the houses here



WHITEHALL, THE RESIDENCE OF GOVERNOR SHARPE.

is of the most costly wood, and the rarest marble, enriched and decorated by artists;[1] they have light and elegant carriages, which are drawn by fine horses; the coachmen are slaves, and are richly dressed. There appears to be more wealth and luxury in Annapolis than in any other city which I have visited in this country. The extravagance of the women here surpasses that of our own provinces; a French hair-dresser is a man of great importance; one lady here pays her coiffeur a salary of a thousand crowns. This little city, which is at the mouth of the Severn River, contains several handsome edifices. The State House is the finest in the country; its front is ornamented with columns, and the building surmounted by a dome."

fam'ly." The cook was a tyrant in her dominion, for she literally ruled the roast; it was she who made the incomparable biscuit and corn bread, who cooked the game and fish and produced the pastry. Each young lady of the household had her maid, a spoilt, idle wench, apt to be pert in her manners; and the young masters had their "boys," who saddled their horses for them, ran on their errands, and wore their cast-off clothing. These house-servants were a costly and idle set, but their loyalty to "de fam'ly" was beautiful to see.

[1] The abbe must have visited Governor Sharpe's estate at "Whitehall."

This is one phase of the old Maryland life, and the most elegant one. The "Sot-Weed Factor," as quoted, gives us another; the third is that of the pioneer, in his log-built camp, who has reared his children on "hog and hominy," and to whom tea and coffee, and equally, cups and saucers, are absolutely unknown. These primitive people ate out of wooden trenchers and platters; sat upon three-legged stools or wooden blocks upon a dirt floor; used bear's grease for lard and butter, and cut up their food with the same sheath-knife which they used in disemboweling and skinning the deer killed by their rifle. They had no money, and little furniture. Meshach Browning, in his very interesting and genuine autobiography,[1] mentions the fact that it took him nearly six months to earn a few dollars in money, as there was none in the country; that farms and houses were to be had for almost nothing; that twenty dollars' worth of furniture set him up in housekeeping in a comfortable sort of way, and that bacon and salt meats were so scarce that he had to go out and kill a bear and salt its meat down in order to have provisions for the winter. The furniture of these pioneer cabins was very primitive. These were sometimes a few pewter dishes, and plates, and spoons, but usually nothing beyond wooden bowls, trenchers, and noggins, with gourds and squashes daintily cut. The horse-trough was the wash-basin, and water-buckets were seldom seen. The family who had an iron pot and a kitchen table were esteemed rich and luxurious, and china and crockery-ware were at once unknown and not missed. Feather-beds and bedsteads were equally eschewed, and the men who conquered the wilderness did not disdain, when night came, to sleep upon a dirt floor, with a bear-skin for a blanket.

These people dressed universally in the hunting-shirt, or blouse, the most convenient frock in the world, which teamsters in Maryland, and "mountaineers" in Kentucky, still wear. This belted tunic, borrowed from the Indians, was naturally the hunter's favorite dress. He fringed the skirts and sleeves of it and decorated it gaily very often, but he did not change its cut, because he knew that it could not be improved. A loose frock, reaching half way down the legs, with large sleeves, open in front, with a cape to protect the shoulders in bad weather, what more did the hunter want? In the ample bosom of this shirt he carried his bread and meat, the tow to wipe out the barrel of his rifle, and any other little necessaries. To his belt, tied or buckled behind, he suspended his mittens, (necessary in severe weather to keep the axe or gun-barrel from freezing his hands,) his bullet-pouch, his tomahawk, and his knife and sheath. His hunting-shirt was made of dressed deer-skin, very uncomfortable in wet weather, or of linsey, when it could be got. The pioneer dressed his thighs and legs in drawers and leathern or cloth leggings, and his feet in moccasins, and a coonskin cap completed the attire. His wife wore a linsey petticoat, home-spun and home-made, and short-gown of linsey or "callimanco," when it could be obtained, which was not often. She went bare-foot in ordinary

[1] *Fifty Years of a Hunter's Life.*

weather, and moccasins, coarse "country-made" shoes, or "shoe-packs," when the weather was severe. To complete the picture, let us quote from Kercheval: "The coats and bed-gowns of the women, as well as the hunting-shirts of the men, were hung in full display on wooden pegs around the walls of their cabins, so that, while they answered in some degree the place of paper-hangings or tapestry, they announced to the stranger as well as neighbor the wealth or poverty of the family in the articles of clothing."

The pioneer lived roughly; the German from the Palatinate kept house like the true peasant that he was; the planter lived sumptuously and luxuriously; but in every case the table was liberally supplied. The cheaper tables had hominy, milk, corn-bread, smoked or jerked meat. But many necessities of the modern household, even when living in a moderate way, were unknown to our ancestors. In the towns the streets were unpaved and unlighted. There was no ice in summer, no refrigerators nor water-coolers. The fruits were few and not choice. Until the Ellicotts planted Pennsylvania apples in their orchards on the Patapsco, "the people had for summer use only two or three kinds of white apples, the long stem for autumn use, and the black redstreak and red redstreak for a winter stock."[1] The vegetables were limited, and our ancestors at that time did not know the tomato, the cauliflower, the egg-plant, the red-pepper, nor the okra. The Indians had taught them how to eat sweet corn, and to prepare succotash with the beans grown among the corn, and they seemed to have raised melons, squashes and pumpkins in abundance. The Marquis de Chastellux, in his *Voyage dans l'Amérique*, describes the fare he met with in places: "The dinner," he says, "was served in the American, or if you will, in the English fashion; consisting of two courses, one comprehending the entrées, the roast meat, and the warm side dishes; the other the sweet pastry and confectionery. When this is removed, the cloth is taken off, and apples, nuts and chestnuts are served; it is then that healths are drunk; the coffee that comes afterwards is a signal to rise from the table." The Duc de la Rochefoucauld-Liancourt, in his *Voyage dans les Etals Unis*, says: "The cookery is English, and, as in England, after dinner, which is not very long, the ladies withdraw and give place to drinking of wine in full bumpers, the most prominent pleasure of the day, and which it is consequently very natural to prolong as late as possible." Volney, who was probably dyspeptic, gives his observations upon our diet and bills of fare in language expressive of strong disgust. He says that if "a premium were offered for a regimen most destructive to the teeth, the stomach and the health in general, none could be devised more efficacious for these ends than that in use among this people. At breakfast they deluge the stomach with a pint of hot water, slightly impregnated with tea, or slightly tinctured, or rather colored, with coffee, and they swallow, almost without mastication, hot bread, half-baked, soaked in melted butter, with the grossest cheese, and salt or hung beef, pickled pork or fish, all which can, with diffi-

[1] Martha Tyson, *Settlement of Ellicott's Mills.*

culty, be dissolved. At dinner they devour boiled pastes, called absurdly, puddings, garnished with the most luscious sauces. Their turnips and other vegetables are floated in lard or butter. Their pastry is nothing but a greasy paste, imperfectly baked. To digest these various substances, they take tea immediately after dinner, so strong that it is bitter to the taste,[1] as well as utterly destructive to the nervous system. Supper presently follows, with salt meat and shell-fish in its train. Thus passes the whole day, in heaping one indigestible mass upon another. To brace the exhausted stomach, wine, rum, gin, malt spirits or beer are used with dreadful prodigality."

"Dreadful prodigality" is not extravagant in describing the drinking habits of the people of Maryland a hundred years ago. They consumed an enormous volume of liquors for such a small population, and they drank indiscriminately at all hours of the day and night. West India rum was the favorite drink of the people, because the cheapest, and it was bought by the puncheon. Every cellar had its barrel of cider, and besides these, and the Bordeaux and sherry and Madeira wines, and the French brandies, and delicate Holland gins, there were cordials, syrups, and every sort of ale and beer. Drunkenness was so common as to excite no remark, and drinking after dinner and at parties was always hard, prolonged and desperate, so that none but the most seasoned old topers, the judges, squires and parsons, of six-bottle capacity, ever escaped with their sea-legs in an insurable condition.

The people of the bay sides, as we have seen, resorted to the canoe, the pinnace, or the bateau, in going from place to place; but, where water routes were not available, the means of locomotion, though various, were all primitive. Long journeys were made on horseback. People of consequence rode in their coaches, with four horses attached, the leaders mounted by liveried postillions. So Washington came from New York to Annapolis, to attend the ball given there in his honor after the peace. He left New York, December 4, and arrived at Annapolis, December 17, thirteen days to a ride which may now be made inside of eight hours. So Washington went to Philadelphia from Mount Vernon to attend the Constitutional Convention, having to lie over at Havre-de-Grace all night because it was too stormy to cross the Susquehannah. The stage-coach was just coming into use in this country at the time of which we write, and the importance of regular communication between one point and another was beginning to be seen. There were a few, but not many post-routes, and these chiefly maintained by private enterprise.

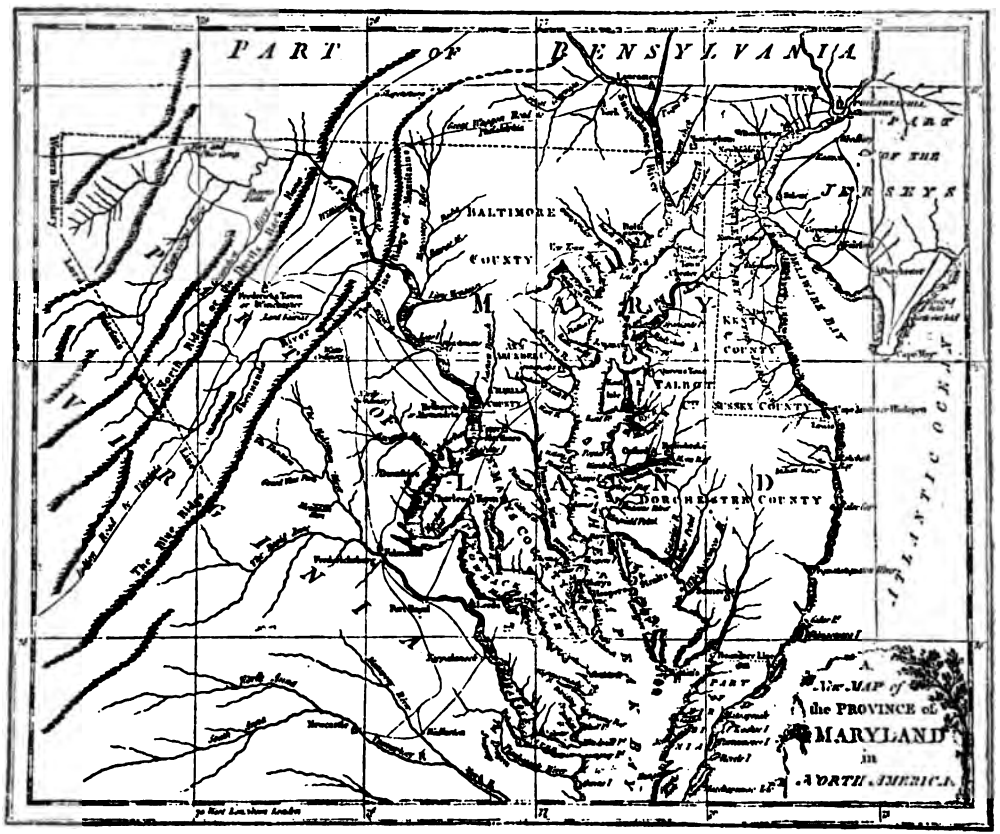
The carrier's cart plied between Alexandria and Philadelphia, by way of Baltimore; the Conestoga wagon was the means of communication between Baltimore and Harrisburg, Frederick, Hagerstown, etc., while these outlying places in their turn were brought into intercourse with the backwoods and the wilderness by means of strings of pack-horses. The intercourse of Baltimore with the North was maintained by the quickest route, *via* Newcastle and Rock Hall. The post-riders to Annapolis crossed over into Kent Island

[1] M. Volney does not explain how it comes about that the tea which is so weak at breakfast becomes so strong after dinner—but the incongruity helps out his theory.

by the narrows, and thence ferried the bay to the mouth of the Severn. Roads were all bad and ill-kept, narrow, obstructed by gates and seldom permitting two vehicles to pass one another. Hence, the common use of the saddle and the frequency of the pacing horse, with his gentle amble to accommodate the ladies. In Annapolis, the ladies used sedan-chairs to some extent in their visitings, but probably two or three chairs were enough to accommodate the town. Coaches and chariots, however, abounded to a much greater extent than in Philadelphia, where, according to Watson, there were only about ten or a dozen four-wheeled vehicles at the time of the outbreak of the Revolution. In Annapolis and Maryland, on the contrary, the English-built coach was comparatively common, and fifty of them could often be seen inside the ring at the Chestertown, or Annapolis, or Marlborough races.

The express from Governor Shirley, of Massachusetts, to announce the capture of Louisburg, left Boston, June 17, 1744, and arrived in Annapolis, July 15—pretty quick work under all the circumstances. The post charges for letters carried—the mail to Baltimore from Philadelphia went once a week—was nine pence; to Newcastle seven pence. In 1727, there was a regular mail from Annapolis to Philadelphia, *via* Newcastle, once a month in winter, once every fornight in summer. This was managed in partnership, by William Bradford, in Philadelphia, and William Parks (State printer), in Annapolis. In 1748, there appears to have been a mail, by regular carriers, from Portsmouth, New Hampshire, to Williamsburg, Virginia, but its dates were uncertain, since the carriers did not start until letters enough were received to pay the charges of the post-riders. In that same year, according to Dr. Douglas, there were one hundred and forty-four miles of post-roads in Maryland, and only seventy-eight in Pennsylvania. In 1775, by Act of Congress, a weekly post was established all the way through from Falmouth, Maine, to Savannah, Georgia. About this time the postage on single letters was seven and one-third cents for sixty miles carriage. The mail carriage was difficult work, and deserved to be well paid, for the risks were many. The Southern mail was robbed by highwaymen on June 16th, 1782 (Sunday), within five miles of Belair, Harford County. In 1765, the mail-coaches began to run regularly. The first line between Baltimore and Philadelphia was established that year. The route was by water to Christiana; by stage to Frenchtown; by water to Baltimore.

The good roads—comparatively good, we mean—and the best post-routes, were due to private enterprise. The Kent Island post-route was owned by a Tilghman, and Henry Callister threatened an opposition unless it was better managed. The post-route to Rock Hall was controlled by a Kinnard and a Hodges. The Ellicotts built the road from Ellicott's Mills to Baltimore, and they also built a road to tap the water route from Frederick County to Georgetown, D. C. It took a day, of almost twenty-four hours, to ride from Elkridge Landing to Annapolis—yet the thrifty Germans of Frederick County traded with Georgia by way of the Valley of Virginia, sending their manufactures of wool, flax and leather on the backs of pack-horses.


PART OF PENSYLVANIA
PART OF THE JERSEYS
BALTIMORE COUNTY
MARYLAND
KENT COUNTY
TALBOT
SUSSEX COUNTY
DORCHESTER COUNTY
ATLANTIC OCEAN
The Blue Ridge
New MAP of the PROVINCE of MARYLAND in NORTH AMERICA

When most of the highways were bridle-paths, it might be supposed that the planters did not meet much in public. Yet they never missed a race, a court-day, an election, or an assembly ball. The interest in elections was very strong, liquor flowed in abundance, and was so much abused that the act of treating voters was legally determined to be bribery. Candidates in those days, as now, issued flaming patriotic addresses to the electors, but it is not believed that they use so many Latin quotations now as then. The discussions on the stump and at the hustings were hot and acrimonious, and, as there was much drinking, there was much fighting also. The voting was *viva voce*. The legislature did not hesitate to expel delegates elected by means of bribery or "undue influence." On October 14, 1771, the Lower House of Assembly took into consideration a petition from some of the citizens of Charles County, complaining of an undue election of Captain Francis Ware and Mr. Josias Hawkins, Jr. The charge against them was for "treating;" it was sustained by the evidence, and the House, by the Speaker, signified to the two gentlemen that "their attendance was no longer required."[1] On March 2, 1752, there was an election at Joppa for representatives for Baltimore County, to decide a contested election case, the delegates elect, William Govane, Thomas Franklin, Lloyd Buchanan and Charles Ridgely, having been dismissed the House of Assembly on petition. It was charged that William Govane, after the election began, gave great quantities of rum punch and other strong liquors to the people in several parts of the country, in order to secure their votes for himself and his friends, "and when the said people were warmed and intoxicated with strong liquors, engaged their promises to vote for him." The people, it is further alleged, were so drunk and disorderly that the sheriff had several times to adjourn the poll. When the contested election was had over again there was great excitement, and Govane headed the poll with 547 votes in a total of 992. Two men were killed at this election. It is creditable to our State to see that the slightest election frauds were punished even thus early in its history. But a proud spirit of personal independence and a high sense of honor actuated all our people. The downfall of many conspicuous politicians in Maryland is due to this fact, and their overlooking the common characteristic in their greed for power.

Brissot de Warville, the neophyte of republicanism and leader of the Girondists, travelled in this country after the War of the Revolution, and left an extensive record of his impressions and experiences. They illustrate social characteristics very graphically. He condemns the general practice of smoking cigars made of Spanish tobacco. He complains of the luxurious fashions and costly dress of the ladies, and arraigns some of the women present at the party of Cyrus Griffin, President of Congress, because their dress was scandalously indecent. He quarrels at once with the public roads and the public conveyances, the latter a kind of open wagon hung up with leathern and woolen curtains and not possessed of springs, the rate for traveling

[1] Maryland *Gazette.*

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[illegible]ate, wore a wig so elaborate, could wear no hat, and was [illegible]is great flowing wig with its [illegible]is occasions, and at the time we

[illegible]ril 19..Revenge (Mr. Hallam).....Lethe
" 22..Stratagem(Mrs. and Miss Douthbaitt)..Lying Valet
" 23..Orphan (Miss Crane and Comp)..Lethe
" 24..Constant Couple (Mr. Morris).....Yorkshireman
May 5..Douglas (Master A. Hallam).....Virgin Unmasked
" 8..Jew of Venice (Mrs. Morris).....Lethe
" 12..Gamester (Mr. Scott).....Toy Shop

The company, after their performances in Annapolis, went to Upper Marlborough and opened, on the 22d of May, at the theatre, with the tragedy of Douglas, and Lethe. Pit, 7*s*. 6*d*.; gallery, 5*s*.

in which was from a shilling to eighteen pence a mile; but Brissot finds still republicanism everywhere, and that is compensation even for jolting over stony roads in springless Jersey wagons. The packet-boats which he finds everywhere, receive his unqualified praise for cleanliness and dispatch.

The contents of the stores and shops of the day seem to justify what Brissot says of luxury and costly dresses. A few advertisements in the Maryland *Gazette* suffice to reveal these contents. Thus Rivington & Brown, the Tory booksellers of Philadelphia, inform the readers of the *Gazette* that they have, in addition to books, writing materials and mathematical instruments, a long line of the finest London-made clothes, swords, etc. India muslins were imported by preference and they cost heavily. Fine ruffles and laces, silks, satins and velvets, chintzes, nankeens, fine plate, costly foreign spirits and wines, these were the sort of goods provided for domestic consumption. People had not so many clothes nor changed them so frequently, but they cost much more than now a-days, and were far more elaborate. The accessories to dress, the swords, wigs, ruffles, cocked hats, snuff-boxes, hat and shoe-buckles, all which this practical age has quite discarded, must all have been expensive. Formal and frequent social intercourse, balls, assemblies and theatres, and the essentially court manners of our ancestors, all tended to add to the cost of dress and its surroundings. Besides, dress was then the badge of rank and the evidence of social position, and each man had to dress according to his position.

So likewise he sat in the theatre according to rank. The theatre was naturalized at Annapolis, earliest of any place in this country. The first professional dramatic performance was had there, and there also the first theatre was built. The troop of Hallam, which came over in 1752, to play at Williamsburg, gave their first performance at Annapolis. The first play-bill ever printed in America is to be found in the Maryland *Gazette*, July 2d, 1752. It announces that "by permission of his honor the president, at the new theatre in Annapolis, by the company of comedians on Monday next, being the 6th of this instant July, will be performed *The Busy Body*, likewise a farce called *The Lying Valet*. To begin precisely at 7 o'clock. Tickets to be had at the printing office. No persons to be admitted behind the scenes." Box seats to this performance were sold at 10*s.*; pit, 7*s.* 6*d.*; gallery 5*s.* Hallam's troupe played many fine comedies and tragedies during this engagement and then went to Upper Marlborough, to perform in the club-house there, still performing in Chestertown. The repertoire of Hallam and his associate Henry, was a sterling one, and the troop contained some really good actors, many of whom played at Annapolis and Marlborough every season for more than twenty years.[1] They played *Richard III.* and

[1] In 1760, for instance, the company played the following:

March 10..Richard III.....King and the Miller
" 13..Provoked Husband.....Stage Coach
March 15..Fair Penitent.....Anatomist
" 20..Stratagem..... Lethe
" 22..George Barnwell.....Lying Valet
" 24..Busy Body.....Mock Doctor

The Beggar's Opera, *Cato* and *The Sham Doctor*, *Miss in her Teens* and *George Barnwell*—in short, ran the whole gamut of an average stock company of the period.

We approach the subject of dress with reluctance, and diffidently essay the task of describing what the people wore who occupied the boxes, the pit and the gallery of the theatre, who rode in their sedan chairs and chariots, or wrought a field hoe in hand and barefooted. But the manners of a people cannot be known unless their dress is known also. The stately ceremonious intercourse of the sexes, the stiff and elaborate walk of the men and women of that day was due as much to dress as anything else. How could ladies dance anything but the stately minuet, when their heads were pyramids of pasted hair, surmounted by turbans, where their jewelled stomachers and tight-laced stays held their bodies as in a vise, when their high-heeled shoes were as if made of wood, and their trails of taffeta fifteen yards long, and great feather head-dresses compelled them to turn round as slowly as strutting peacocks? How could the men dance any other dance, when their elaborate powdered wigs compelled them to carry their hats under their arms, and their swords required dexterous management to keep them from getting between their legs; when their very coat-skirts were stiffened with buckram, so as to make them stand out? Children were laced in stays, made to wear chin-stays, gaps and pads, so as to give them the graceful carriage necessary to wear all this weight of stiff and elaborate costume, which was all of a piece with the five-act plays, the character of the assemblies and other evening entertainments, the games of cards played, basset, loo, piquet, and whist sometimes, with the dancing, the ceremonious public life of all sorts of "society," so called, with even the elaborate funeral ceremonies, and the sedulousness with which "persons of quality" thought it incumbent upon them to keep up the distinctions of rank as symbolled in costume.

The gentleman of quality, when he went in state, wore a wig so elaborate, so profusely flowing, so well powdered, that he could wear no hat, and was forced to carry his hat under his arm. This great flowing wig with its elaborate curls was only worn on ceremonious occasions, and at the time we

March 27..Revenge.....Lying Valet
" 29..Bold Stroke for a Wife.....
Damon and Phillida
[In Passion Week the House was shut.]
April 7..Romeo and Juliet.....Stage Coach
" 8..Provoked Husband.....
Honest Yorkshireman
" 9..Othello.....Devil to Pay
" 10..Constant Couple..King and the Miller
" 11..Romeo and Juliet...Miss in her Teens
" 12..Suspicious Husband.....Mock Doctor
" 14..Richard III. (Mr. Douglass)... ...Hob
" 15..Fair Penitent (Mr. Palmer).....
Lying Valet
" 16..Venice Preserved (Mr. Murray).....
Devil to Pay
" 17..Provoked Husband (Mr. Douglass)....
Yorkshireman
April 19..Revenge (Mr. Hallam).....Lethe
" 22..Stratagem(Mrs. and Miss Douthbaitt)..
Lying Valet
" 23..Orphan (Miss Crane and Comp)..Lethe
" 24..Constant Couple (Mr. Morris).....
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write of, seldom then, even. The tie-wig, the bob-wig, the bag-wig, the night-cap-wig and the riding-wig, were all of curtailed proportions, and our gentleman selected one of these when he went abroad to take the air. In this case he wore also a small three-corner cocked hat of felt or beaver, elaborately laced with gold or silver galloon. If he walked, as to church or court, he carried a gold or ivory headed cane, five feet long, in addition to his sword, and wore square-toed, low-quartered shoes, with paste or silver buckles, and his stockings, no matter what their material, were tightly stretched over his calves, and carefully gartered at the knee. If he rode, he wore boots instead of shoes and stockings, and substituted a stout riding whip for the tall cane. About his neck was a white cravat of great amplitude, with abundant hanging ends of lace. His waist-coat was made with great flaps coming nearly down to the knee and bound with gold or silver lace. The coat, of cloth or velvet, might be of any color, but it was sure to be elaborately made, with flap-pockets, and great hanging cuffs, from beneath which appeared the gentleman's indispensable lace ruffles. His knee-breeches might be of black satin, or red plush, or blue cloth, according to the fancy. They were made plain and tight, buckling at the knee. At home, a black velvet skull-cap sometimes took the place of the wig, and a damask dressing-gown, lined with silk, supplanted the coat, the feet being made easy in fancy morocco slippers. Sullivan, in his Recollections, describes some costumes of the period as they stood out in his memory. One was, grey wig, cocked hat, *white* broadcloth coat and waistcoat, *red* small clothes and *black* silk stockings. When he saw John Hancock, the foppish governor wore a red velvet skull-cap, lined with fine linen that was turned over the edge of the velvet about three inches deep, a blue damask dressing-gown, lined with silk, a white stock, white satin embroidered waistcoat, black satin breeches, white silk stockings, red morocco slippers, etc. Coats, according to Sullivan, were worn of every color not excepting red. Judges on the bench sported robes of scarlet, faced with black velvet in winter and black silk gowns in summer.

To descend a little lower in the scale, the substantial planter and burgher dressed well, but was not so particular about his wigs, of which he probably owned no more than one, which he kept for visiting and for church. He yielded to the custom of shaving the head, however, and wore a white linen cap under his hat. During the Revolutionary War, when the people grew democratic, wigs got scarce and high, linen could not be had, and shaving heads fell rapidly into desuetude. The burgher's hat was of wool or felt, with a low crown and broad brim, sometimes, but not always, turned up and cocked. About his neck he wore a white linen stock, fastening with a buckle at the back. His coat was of cloth, broad-backed, with flap-pockets, and his waist-coat of the same stuff, came down to his knees. He wore short breeches with brass or silver knee-buckles, red or blue garters, and rather stout, coarse leather shoes, strapped over the quarter. He wore no sword, but often carried a staff, and knew how to use it.

As to the dress of mechanics, laborers, and servants, it is to be said that leather-breeches making was a regular industry of the day, and advertised as such. These, with leather aprons, and sagathy coats, osnaburg shirts, and hair-shag jackets, were much worn by mechanics, who also wore coarse shoes and worsted or jean stockings, knit at home. In Annapolis some advertisements of runaway servants, apprentices, redemptioners, etc. (the dress is always given), we find mention of "allopeen" coats, "sagathy" coats, cloth, Russia drab frocks, Durroy coats, and many others, but none seem to have ever worn the Indian matchcoat, though in the up-country and back-woods the "shoe-pack" or leather moccasin, was very generally used. Breeches are named as being of leather, "osnabrig," light colored cloth, fustian, drugget, etc.; hats were of felt, linen (cap), old castor, etc.; shirts of osnaburg, or check stockings of colored worsted, brown thread, or cloth; shoes, when there were any, generally old and probably the master's cast-offs.

The dress of the women of this class was more shabby still. Stamped cotton gowns, white dimity ones, coarse shift (osnaburg), country cloth and black quilted petticoats, make up part of the costumes of these runaways. One of them is advertised, for instance, as having gone off in a red and white checked Holland bed-gown, large woman's chintz gown, black serge demi-shoes, and a red cloak, with a hood or cap to it—certainly a good garb for a tramp. In the backwoods and the primitive German settlements, according to Kercheval and Doddridge, the women all wore the short gown and petticoat, the Germans wearing also tight-fitting calico caps. In summer, when they worked a field, they wore nothing but a linen shift and a petticoat, of home-made linsey. All their clothing, in fact, was home-made.

The ladies of quality, however, more than made up for this homely sort of garb worn by their humbler sisters. They dressed extravagantly, frizzed, rouged, wore trains, and acted as fashionable women always have done, from the immemorial beginning of things. It was, as Brissot said of it, "a dress of the most brilliant silks, gauzes, hats and borrowed hair." Few jewels were worn, (they were not in the country), but the general effect of the costumes was imposing, not to say bewildering. Catharine Rathel, milliner, "from London" (of course), advertises in the Maryland *Gazette*, September, 1769, the following lines of goods, all for the ladies: White satin, India and other chintzes, calico, gingham, cloaks, cardinals, hats, flowered gauze aprons, bonnets, caps, egrettes, fillets, breast flowers, fashionable ribbands, buttons and loops, silk hose of different colors, superfine white India stockings, box and ivory combs, etc. About the same date, Joshua Johnson announces fresh importations of plain and striped lute-strings, ladies white and black patent and other silk gloves and mits, gauzes, gauze aprons and handkerchiefs, apron width book muslin, black and white garget, Paris net, thread and silk turbons and tippets, black hat feathers, black and white ostrich and swan plumes with two or three falls, sultana plumes, china egrets, silver sprigs, ladies' breast flowers, fitchu and satin muffs and tippets, etc.

Of course these articles of luxury and of fine dress would not have been imported unless there was a sale for them, and this sale must have been more ready than at the present day, for, while profits were larger and credits longer, there was much less capital in such interests than at the present, and consequently, there must have been much less ability to carry large stocks of miscellaneous goods in the hope and prospect of an irregular, transient market. Miss Elizabeth Bordley, sister of John Beale Bordley, we read in the private memoirs, "was fond of substantial attire, and always adhered to the fashion that grew up with her, of rich silks and brocades, lace ruffles," etc. She grew up just previous to the time of which we write.

The best descriptions of the ladies' full dress of the period are perhaps to be found in Colonel Stone's account of Washington's inauguration ball. There had not been much change in the interim from the date set here, and that change, so far as it had operated, was in the direction of simplicity. "One favorite dress," he says, "was a plain celestial blue satin gown, with a white satin petticoat. On the neck was worn a very large Italian gauze handkerchief, with border stripes of satin. The head dress was a *pouf* of gauze in the form of a globe, the *creneaux* or head piece of which was composed of white satin, having a double wing, in large plaits, and trimmed with a wreath of artificial roses, falling from the left at the top to the right at the bottom, in front, and the reverse behind. The hair was dressed all over in detached curls, four of which, in two ranks, fell on each side of the neck, and were relieved behind by a floating *chignon*. Another beautiful dress was a perriot, made of gray Indian taffeta, with dark stripes of the same color, having two collars, the one yellow, the other white, both trimmed with a blue silk fringe, and a reverse trimmed in the same manner. Under the perriot they wore a yellow corset or bodice, with large stripes of blue. Some of the ladies with this dress wore hats *à l'Espagnole*, of white satin, with a band of the same material placed on the crown, like the wreath of flowers on the head-dress above mentioned. This hat, which, with a plume, was a very popular article of dress, was relieved on the left side, having two handsome cockades, one at the top, the other at the bottom. On the neck was worn a very large plain gauze handkerchief, the ends of which were hid under the bodice, after the manner represented in Trumbull's and Stuart's portraits of Mrs. Washington. Round the bosom of the perriot a frill of gauze, *à la Henri IV.*, was attached, cut in points around the edge. The shoes were celestial blue, with rose-colored rosettes."[1]

In the dances and balls of the period, in spite of all this elaborateness of costume, the party began at six o'clock and was officially over at ten P.M., though there is evidence that some of the young and reckless people kept it up much later; but all this may be inferred from the description of manners which has gone before and which derives additional authenticity and value from the private and near-by sources whence it has been in the main derived.

[1] Griswold, *Republican Court.*

It is to be hoped that the desultory sketch which we have furnished will not be found uninteresting, however imperfect. Many details have been omitted or neglected, in the hope that we should be able, by generalizing, the better to group and illustrate the qualities for which our ancestors were most distinguished, for which their characters have excited most comment and perhaps deserved most praise. They were a generous, large-hearted, liberal-minded people, and their faults were far fewer than their virtues. The yeomanry, in their own rude, rough-and-ready manner, reflected the same sort of personal independence of character and proud sense of individuality as the social aristocracy. No other colony of the thirteen, perhaps, with such a wealthy and trusted leader as Charles Carroll, of Carrollton, in the van of its public men, would have passed him by to choose sturdy Thomas Johnson, the man of the people, for its "great war governor."

A serious people withal, while eschewing the sour mien and affected phrase of Quakers and Puritans, and while keeping up out-door sports and games, gallant to women and observant of every rule of courtesy towards men. In the time of which we write, our ancestors gravely debated the most serious questions of public and private morals, and earnestly grappled with the most difficult problems of political economy. They risked, they offered up, they sacrificed their property, no matter how hardly earned, upon a point of principle. Lord Brougham, in one of the best of his antithetical sketches of the statesmen of the time of George III., has lavished admiration upon the emphatic signature which Charles Carroll of Carrollton, appended to the Declaration of Independence. It is a pity that the strenuous friend of emancipation did not know, and was not able to say, in the same connection that, from the beginning of the War of Independence down to about 1800, over one hundred deeds of manumission of slaves are recorded in Talbot County alone,[1] the makers of the deeds surrendering their property, and often their means of subsistence, upon the ground of conscience simply, and holding that in a free republic the right to own slaves could not properly be maintained. Such were our ancestors. Let us be proud of them, and never make light of the examples they have set us.

[1] MS. *Notes* of Dr. S. A. Harrison.

CHAPTER XIX.

THE first exultation that followed the repeal of the Stamp Act being over, men began to forecast the future. It was evident to the more far-sighted that England would not rest content with the check just given; and, indeed, she had given intimations of her intentions, by the re-assertion of the right to impose the tax, at the very time of its repeal. In what form the new aggression would come, no man could foresee; and it behooved the leaders of public action to consider the ways and means of defence when it should come.

The great strength of the colonies lay, as all men saw, in united and harmonious action. The French War, by common resistance to a common danger, had brought them nearer together, accustomed them to consult for the common interest, and act in harmony, and show their military powers to no disadvantage, compared with the disciplined valor of the British regulars. The resistance to the Stamp Act "taught them to combine, as well for the protection of their liberties against tyranny, as of their territories against war." The discussions which it brought out, in which the ideas of popular liberty, the rights of Englishmen, and the relations of the colonies to the mother-country were canvassed by the first intellects in America, were a political education to the people, and they throve wondrously on the new diet. The unity of interest and feeling, the sense of mutual sympathy and support, and the strength which they had found in concerted action, necessarily led the minds of statesmen to the idea of a close union of the colonies for resistance to any general oppression; and this could not fail to suggest the alternative, that if they could not secure their rights under British rule, they must, in the last resort, struggle for independence. The idea of a provincial confederation, formed on free suffrage, which would, in time, "grow into an imperial dominion," had presented itself to more than one mind.

It would seem that some foreshadowings of such a possibility had arisen in the mind of Frederick, Lord Baltimore, for, in 1766, he authorized Governor Sharpe, Daniel Dulany and Mr. Jordan to sell all his manor and other tracts in Maryland; and the commissioners immediately advertised in the *Gazette* large tracts in the various counties, amounting in the aggregate to about three hundred thousand acres, of which a large part was sold, at rates varying from twenty to thirty shillings an acre.[1]

[1] The following manors remained undisposed of up to the time of the Declaration of Independence: Monocacy manor, and the reserves thereon as returned by the surveyor of Frederick county, 13,148 acres; Kent manor, Kent county, 3,018 acres; Gunpowder manor, Harford county, 5,603 acres; Queen Anne manor, Queen Anne's county, 4,322 acres; Nanticoke

A new ministry had been formed in England under the leadership of William Pitt, now Earl of Chatham,[1] but composed of men of varying shades of political opinion, and by it the project of taxing America was revived. In May, 1767, Charles Townshend, Chancellor of the Exchequer, submitted a plan to parliament by which he proposed "to draw a revenue from America without giving offence;" and soon after he introduced a series of Revenue Acts, as the practical operation of his plan, the principal of which passed and received the royal asent on June 29, to go into effect on the 20th of November. These Acts, in brief, imposed duties on glass, paper, pasteboard, white and red lead, painters' colors, and tea, imported into the colonies; established a Board of Customs at Boston to collect the revenue throughout America, and legalized writs of assistance. The preamble declared "that it was expedient to raise a revenue in America, and to make a more certain and adequate provision for defraying the charge of the administration of justice and the support of the civil government in the provinces, and for defraying the expenses of defending, protecting, and securing them."

This new scheme of taxation, together with the establishment of a Board of Customs, and the legalization of writs of assistance, was more subversive of the rights of the colonies than the Stamp Act: In effect, it was a menace of perpetual servitude. The colonists regarded these Acts with indignation the more violent, as proving that the spirit of encroachment had but gained strength by inaction; as a headstrong return to this system with a full knowledge of the consequences; as evincing a settled purpose to annihilate their rights, and that by an artifice as shallow as it was futile. The scheme was thoroughly dissected by the press, and in every quarter of the colonies remonstrances and indignant invectives broke forth. In Maryland the powers of government, of which the people had been debarred the exercise, were resumed, and the Acts of Parliament openly opposed.

Before the adjournment of the assembly, the Lower House, as if anticipating the coming storm, declared that "life without liberty is worse than

manor, Dorchester county, 4,777 acres; Woolsey manor, Dorchester county, 3,131 acres; Mill manor, Dorchester county, 1,667 acres; Wicomico manor, Worcester county, 5,950 acres; Anne Arundel manor, Anne Arundel county, 301 acres; Chaptico manor, St. Mary's county, 6,110 acres; Beaver Dam manor, St. Mary's county, 7,680 acres; West St. Mary's and St. Mary's manors, St. Mary's county, 1,370 acres; Snow Hill, St. John and St. Barbaras manors, Somerset county, 774 acres; Calverton manor, Charles county, 3,412 acres; Pangaiah manor, Charles county, 1,001 acres; Zachaink manor, Charles county, 5,304 acres; Elk North and East manors, Cecil county, 3,976 acres. These two last manors were laid out for 6,000 acres each, and it is believed they were not less than that amount. Samuel Chase and John Churchman purchased two tracts of land in Cecil county, each 10,000 acres. My Lady's two manors and reserves, Baltimore county, 45,000 acres. My Lord's two manors and reserves, westward of Fort Cumberland, Alleghany county, 125,130 acres. The reserves within five miles of Annapolis.

[1] Charles Wilson Peale, of Annapolis, when in London in 1774, painted a portrait of the Earl of Chatham, which he said was the "first fruit of his science." He presented it to the province with the understanding that it would be placed in the State House, and with the hope that it would "redound to his reputation" and confer an honor upon him. He removed to Annapolis from Chestertown, Kent county, in January, 1762, and carried on the business of "saddle making, harness making, postering and repairing carriages."

a copy of which you are pleased to intimate hath been communicated to the King's ministers, it is very alarming to find, at a time when the people of America think themselves aggrieved by the late Acts of Parliament, imposing taxes on them for the sole and express purpose of raising a revenue, and in the most dutiful manner are seeking redress from the Throne, any endeavors to unite in laying before their Sovereign what is apprehended to be their just complaint, should be looked upon as 'a measure of most dangerous and factious tendency, calculated to inflame the minds of His Majesty's good subjects in the colonies, to promote an unwarrantable combination, excite and encourage an open opposition to, and denial of the authority of Parliament, and to subvert the true principles of the Constitution;' we cannot but view this as an attempt in some of his Majesty's ministers to suppress all communication of sentiments between the Colonies, and to prevent the united supplications of America from reaching the royal ear. We hope the conduct of this house will ever evince their reverence and respect for the laws, and faithful attachment to the Constitution; but we cannot be brought to resent an exertion of the most undoubted constitutional right of petitioning the Throne, or any endeavors to procure and preserve an Union of the Colonies, as an unjustifiable attempt to revive those distractions which it is said have operated so fatally to the prejudice of both the Colonies and the Mother-Country. We have the warmest and most affectionate attachment to our most gracious Sovereign, and shall ever pay the readiest and most respectful regard to the just and constitutional power of the British Parliament, but we shall not be intimidated by a few sounding expressions from doing what we think is right.

"The House of Representatives of the Colony of Massachusetts Bay, in their letter to us, have intimated that they have preferred an humble, dutiful and loyal petition to the King, and expressed their confidence, that the united and dutiful supplications of his distressed American subjects will meet with his royal and favorable acceptance; and we think they have asserted their rights with decent respect to their Sovereign, and a due submission to the authority of Parliament. What we shall do upon this occasion, or whether in consequence of that letter, we shall do anything, it is not our present business to commuuicate to your Excellency; but of this be pleased to be assured, that we cannot be prevailed on to take no notice of, or to treat with the least degree of contempt, a letter so expressive of duty and loyalty to the Sovereign, and so replete with just principles of liberty; and your Excellency may depend that whenever we apprehend the rights of the people to be affected, we shall not fail boldly to assert, and steadily endeavor to maintain and support them, always remembering what we could wish never to be forgot: That by the Bill of Rights, it is declared, 'That it is the right of the subject to petition the king, and all commitments and prosecutions for such petitioning, are illegal.'"

On the following day they adopted a petition to the king, which may safely challenge a comparison with any similar paper of that period, as an eloquent and affecting appeal to the justice of the crown; deducing their claim to relief from their acknowledged rights as British subjects, and the peculiar exemptions of their charter, they press it upon the crown in the following manly and dignified language:

"Our ancestors, firmly relying upon the royal promise, and upon these plain and express declarations of their inherent, natural, and constitutional rights, at the hazard of their lives and fortunes, transported themselves and families to this country, then scarcely known, and inhabited only by savages. The prospect of a full and peaceable enjoyment of their liberties and properties, softened their toils and strengthened them to overcome innumerable difficulties, Heaven prospered their endeavors, and has given to your majesty a considerable increase of faithful subjects, improved the trade, and added riches to the mother-country.

"Thus happy in the enjoyment of the rights and privileges of natural-born subjects, have they and their posterity lived, and been treated as freemen, and thus hath the great fundamental principle of the constitution, that no man shall be taxed, but with his own consent, given by himself, or by his representative, been ever extended, and preserved inviolate in this remote part of your majesty's dominion, until questioned lately by your parliament.

"It is therefore with the deepest sorrow, may it please your most excellent Majesty, that we now approach the throne, on behalf of your faithful subjects of this province, with all humility, to represent to your Majesty, that by several statutes, lately enacted in the parliament of Great Britain, by which sundry rates and duties are to be raised and collected within your Majesty's colonies in America, for the sole and express purpose of raising a revenue, this great fundamental principle of the constitution is in our apprehension infringed.

"The people of this province, Royal Sire, are not in any manner, nor can they ever possibly be, effectually represented in the British parliament. While, therefore, your Majesty's commons of Great Britain continue to give and grant the property of the people in America, your faithful subjects of this, and every other colony, must be deprived of that most invaluable privilege, the power of granting their own money, and of every opportunity of manifesting, by cheerful aids, their attachment to their king, and zeal for his service; they must be cut off from all intercourse with their sovereign, and expect not to hear of the royal approbation; they must submit to the power of the commons of Great Britain; and, precluded the blessings, shall scarcely retain the name of freedom."

At the same time a reply was made to the circular, embodying an explicit avowal of full concurrence with the Lower House of Assembly in Massachusetts in the declaration, that those Acts of Parliament "do infringe the great and fundamental principle" upon which the right of taxation is based. This reply brought down upon them the impending penalty of prorogation on the 22d of June, 1768, but not before the adoption of resolutions displaying the whole matters at issue in the clearest light—resolutions to which we may recur as a lucid exposition of colonial rights, and a convincing evidence of the firm principles and commanding abilities of the men to whom was then committed the peculiar care of the province.[1]

On the same day the assembly was prorogued, Governor Sharpe addressed the following letter to Lord Hillsborough:

"The letter your lordship was pleased to transmit to me the 21st of April, together with a copy of one from the House of Representatives of the colony of Massachusetts, having been by me received the 20th of this month when the assembly of this Province happened to be sitting, I immediately communicated the contents to the Lower House, hoping that when his Majesty's sentiments with regard to the step taken by the Massachusetts Assembly were so explicitly made known to them they would drop any design they may have adopted in consequence of the letter from Boston; but the result was, to my great mortification, just the reverse of what I wished it to be; for after ruminating upon my message more than a day, they presented to me this afternoon the inclosed address, whereupon an end was put to the session, and I should have immediately dissolved the assembly had not experience taught me that no step is so likely to attach the people to their representatives as a sudden dissolution, and that on a new election instantly follow-

[1] T. H. Hagner, p. 22. McMahon, p. 374.

ing, none are so likely to be left out as those members who appeared averse to violent measures. The time to which the Assembly now stands prorogued is the first week of October, but I shall not permit them to convene at soonest before next Spring, so that if your lordship pleases to order it they may be dissolved before another session: at least they will have leisure to consider coolly the consequences that may attend their bringing on the Province his Majesty's resentment."

Lord Hillsborough, under date of November 15th, 1768, replied to this as follows:

"It is a great concern to his Majesty to find that the Assembly of Maryland has, in the business of the circular-letter from the Speaker of the House of Representatives of Massachusetts Bay, acted with so little respect to his Majesty's sentiments upon that unwarrantable proceeding; and that they have thought fit to decline sending their petition to his Majesty, on the subject of the late Acts of Parliament, either through the Proprietor, or his Deputy in the Government there, which his Majesty considers as the only proper and constitutional channel. These circumstances of disrespect to the Crown, and undutiful behavior on the part of the Assembly, have not, however, inclined his Majesty to shew the least disregard to the petition, which has been delivered to me by Mr. Montague; on the contrary, his Majesty has considered it with attention, and having well weighed the purport and tenor thereof, has commanded me to signify to you that he does disapprove this petition, as containing assertions and setting up claims inconsistent with the constitution, and tending to deny and draw into question the supreme authority of Parliament to bind the Colonies by Laws, in all cases whatsoever; which authority his Majesty is determined to preserve and support, entire and inviolate, trusting that His faithful subjects in the Colonies will, at the same time, be well assured of His royal and gracious disposition to hear and redress every real grievance they may complain of, in a regular manner, and upon principles not subversive of the Constitution.

"The two Houses of Parliament do entirely concur with the King in these sentiments, as will best appear from the inclosed addresses, one of which passed *nemine contradicente*, and the other without a division; and His Majesty trusts that the resolution so strongly expressed in these addresses, to support the authority of the supreme legislature over his whole empire, will have the effect to defeat and disappoint the views of those wicked men who seek to create a disunion and disaffection between Great Britain and her Colonies, by asserting claims that cannot be supported, either in principle or practice."

Notwithstanding the petitions, appeals, remonstrances, etc., which were presented to the British Government for the repeal of the Act imposing new duties, they were all rejected, as it was considered an improper time to yield to the demands of the colonies. It would be time enough, it was said, to do this, when they had shown a disposition to submit to the authority of parliament. Lord North declared, that however prudence or policy might hereafter induce the government to repeal the Act, he hoped they should never think of it, until America was *prostrate at their feet.*

Failing in these measures, the colonies now adopted a mode of opposition, less questionable and dangerous than open rebellion, but far more effectual than supplications. They had discovered in their opposition to the Stamp Act, that the most effective mode to obtain redress for their grievances was to operate upon English trade and commerce. During the Stamp Act contest the colonists had partially adopted a *non-importation* system which

was followed by the best results. It brought to the side of America the great majority of English merchants interested in that trade, who felt the attack upon her liberties as an attack upon their own fortunes. The time had now arrived again to touch this "pocket nerve," and it was done effectually.[1]

In April, 1768, propositions were made by the "Sons of Liberty" in the various colonies to revive the non-importation associations, and letters to that effect were addressed to the various merchants in Boston, New York, Philadelphia, Annapolis and Baltimore. In consequence of these solicitations, a non-importation association was formed in Boston, on the 1st of August, 1768. Several other colonies followed in the course of that month, but the measure was not generally adopted until the following year, when Maryland and Virginia came into the association. Maryland had previously several county organizations of the kind, but at the solicitation of many gentlemen of the province, a circular was addressed on the 9th of May, 1769, by Messrs. Dick and Stewart, McCubbin, Wallace, and W. Stewart, merchants of Annapolis, to the people of the several counties, inviting a general meeting of the inhabitants of that place, "for the purpose of consulting on the most effectual means of promoting frugality, and lessening the future importation of goods from Great Britain." The meeting was held on the 20th June, 1769, and was very fully attended. A non-importation association was established for the whole province, which was similar, in its general character and objects, to those of the other colonies. The agreement, signed by all the associators, ran as follows:

"We the subscribers, his Majesty's loyal and dutiful subjects, the merchants, traders, free-holders, mechanics, and other inhabitants of the Province of Maryland, seriously considering the present state and condition of the Province, and being sensible that there is a necessity to agree upon such measures as may tend to discourage, and, as much as may be, prevent the use of foreign luxuries and superfluities, in the consumption of which we have heretofore too much indulged ourselves, to the great detriment of our private fortunes, and in some instances to the ruin of families; and to this end to practice ourselves, and as much as possible, to promote, countenance, and encourage in others a habit of temperance, frugality, economy and industry; and considering also that measures of this nature are more particularly necessary at this time, as the Parliament of Great Britain, by imposing taxes upon many articles imported hither from thence, and from other parts beyond the sea, has left it less in our power than in times past, to purchase and pay for the manufactures of the Mother-Country; which taxes, especially those imposed by a late act of Parliament, laying duties on tea, paper, glass, &c., we are clearly convinced have been imposed contrary to the spirit of our constitution, and have a direct and manifest tendency to deprive us in the end of all political freedom, and reduce us to a state of dependence, inconsistent with that liberty we have rightfully enjoyed under the government of his present most sacred Majesty, (to whom we owe, acknowledge, and will always joyfully pay all due obedience and allegiance) and his royal predecessors, ever since the first settlement of the Province until of very late time; have thought it necessary

[1] On the 27th March, 1766, the Maryland *Gazette* announced that, "since the first of November past, it has become very fashionable in this province for gentlemen of the first rank and fortune to appear clad in home-made clothes, and sundry in town have received presents of those suits."

to unite, as nearly as our circumstances will admit, with our Sister Colonies, in resolutions for the purpose aforesaid; and therefore do hereby agree and bind ourselves to, and with each other, by all the ties and obligations of honor and reputation, that we will strictly and faithfully observe, and conform to the following resolutions:

"*First.*—That we will not, at any time hereafter, directly or indirectly, import, or cause to be imported, any manner of goods, merchandise, or manufactures, which are, or shall hereafter be taxed by Act of Parliament, for the purpose of raising a revenue in America (except paper not exceeding six shillings per ream, and except such articles only, as orders have been already sent for) but, that we will always consider such taxation, in every respect, as an absolute prohibition to the articles that are or may be taxed.

"*Secondly.*—That we will not hereafter, directly or indirectly, during the continuance of the aforesaid Act of Parliament, import or cause to be imported from Great Britain, or any other part of Europe, (except such articles of the produce or manufacture of Ireland, as may be immediately and legally brought from thence, and also, except all such goods as orders have been already sent for) any of the goods hereinafter enumerated, to wit: horses, spirits, wine, cider, perry, beer, ale, malt, barley, pease, beef, pork, fish, butter, cheese, tallow, candles, oil, except salad oil; fruit, pickles, confectionary, British refined sugar, mustard, coffee, pewter, tin ware of all kinds, whether plain or painted, waiters and all kind of Japan ware, wrought copper, wrought and cast brass and bell metal, watches, clocks, plate and all other gold and silversmiths' works, trinkets and jewelry of all kinds, gold and silver lace, joiners' and cabinet work of all sorts, looking glasses, upholstery of all kinds, carriages of all kinds, ribbons and millinery of all kinds, except wig-ribbon; lace, cambric, lawn, muslin, kenting, gauze of all kinds, except boulting-cloths; silks of all kinds, except raw and sewing silk, and wig cauls; velvets, chintzes and calicoes of all sorts, of more than twenty pence per yard; East India goods of every kind, saltpetre, black pepper, and spices; printed linens, and printed cottons, striped linens, and cotton, check linen and cotton checks of all kinds, handkerchiefs of all kinds, at more than ten shillings per dozen; cotton velvets and all kind of cotton, or cotton and linen stuffs, bed bunts, and bed ticking of all sorts, cotton counterpanes and coverlids, British manufactured linens of all kinds, except sail cloth; Irish and all foreign linens above one shilling and six pence per yard; woollen cloth above five-quarters wide, of more than five shillings per yard; narrow cloths of all sorts, of more than three shillings per yard; worsted stuffs of all sorts, above thirteen pence per yard; silks and worsted, silk and cotton, silk and hair, and hair and worsted stuffs of all kinds; worsted and hair shags, mourning of all and every kind; stockings, caps, waist-coat and breeches patterns of all kinds; rugs of all sorts, above eight shillings; blankets, above five shillings per blanket; men's and women's ready-made clothes and wearing apparel of all kinds; hats of all kinds, of more than two shillings per hat; wigs, gloves, and mits of all kinds; stays and bodices of all sorts; boots, saddles, and all manufactures of leather and skins of all kinds, except men's and women's shoes, of not more than four shillings per pair; whips, brushes, and brooms of all sorts, gilt, and hair trunks, paintings, carpets of all sorts, snuff boxes, snuff and other manufactured tobacco, soap, starch, playing-cards, dice, English china, English ware in imitation of china, delph and stone ware of all sorts, except milk pans, stone bottles, jugs, pitchers, and chamber pots; marble and wrought stone of any kind, except scythe stones, mill stones, and grind stones; iron castings, ironmongery of all sorts, except nails, hoes, steel, handicraft and manufacturers' tools, locks, frying pans, scythes and sickles; cutlery of all sorts, except knives and forks not exceeding three shillings per dozen; knives, scissors, sheep-shears, needles, pins, and thimbles, razors, surgical instruments, and spectacles, cordage and tarred rope of all sorts, seines, ships' colors ready-made, ivory, horn, and bone ware of all sorts, except combs.

"*Thirdly.*—That we will not, during the time aforesaid, import any wines, of any kind whatever, or purchase the same from any person whatever, except such wines as are already imported, or for which orders are already sent.

"*Fourthly.*—That we will not kill, or suffer to be killed, or sell, or dispose to any person, whom we have reason to believe intends to kill, any ewe-lamb, that shall be weaned before the first day of May in any year, during the time aforesaid.

"*Fifthly.*—That we will not, directly or indirectly, during the time aforesaid, purchase, take up, or receive, on any terms, or conditions whatever, any of the goods enumerated in the second resolution, that shall, or may be imported into this Province, contrary to the intent and design of these resolutions, by any person whatever, or consigned to any factor, agent, manager, or storekeeper here, by any person residing in Great Britain or elsewhere; and if any such goods shall be imported, we will not upon any considertion whatever rent or sell to, or permit any way to be made use of by any such importer, his agent, factor, manager, or storekeeper, or any person on his or their behalf, any storekeeper, or other house, or any kind of place whatever, belonging to us respectively, for exposing to sale, or even securing any such goods, nor will we suffer any such to be put on shore on our respective properties.

"*Sixthly.*—That if any person shall import, or endeavor to import, from Great Britain, or any part of Europe, any goods whatever, contrary to the spirit and design of the foregoing resolutions, or shall sell any goods which he has now, or may hereafter have on hand, or may import, on any other terms than are herein expressed, we will not, at any time hereafter, deal with any such person, his agent, manager, factor, or store-keeper, for any commodity whatever; and that such of us as are or may be sellers of goods, will not take any advantage of the scarcity of goods that this agreement may occasion, but will sell such as we have now on hand, or may hereafter import, or have for sale, at the respective usual and accustomed rates for three years last past.

"*Seventhly.*—That we will not, during the time aforesaid, import into this Province, any of the goods above enumerated for non-importation, in the second resolution, which have been, or shall be imported from Great Britain, or some part of Europe, from any colony or province which hath not entered, or shall not, within two months from the date hereof, enter into resolutions of non-importation, nor will we purchase, take up or receive, on any terms, or conditions whatever, any such goods from any person or persons that may import the same; nor will we purchase, take up, or receive on any terms or conditions any of the said goods which may be imported from any Province or Colony which has entered or may enter into such resolutions, unless a certificate shall accompany such goods, under the hands of a committee of merchants (if any) of the place from whence such goods shall come, or if no such committee, then under the hands of at least three of the principal merchants there, who have entered into resolutions of non-importation, that such goods were imported before such resolution was entered into in such place. And, that we will not purchase, take up, or receive on any terms or conditions whatever, after the expiration of six months from the day hereof, from any Colony or Province aforesaid, any of the said enumerated articles, which have been, or shall be imported from Great Britain.

"*Eighthly.*—We, the Tradesmen and manufacturers do likewise promise and agree, that we will not avail ourselves of the scarcity of European goods proceeding from the resolutions for non-importation to raise or enhance the prices of the different articles, or commodities, by us wrought up or manufactured; but that we will sell and dispose of the same at the usual and accustomed rates we have done for these three years past.

"*Lastly.*—That, if any person or persons whatsoever shall oppose or contravene the above resolutions, or act in opposition to the true spirit and design thereof, we will consider him or them as enemies to the liberties of America, and treat them, on all occasions, with the contempt they deserve; provided that these resolutions shall be binding on us for and during the continuance of the before mentioned act of parliament, unless a general meeting of such persons at Annapolis, as may at any time hereafter be requested by the people of the several Counties in this Province to meet, for the purpose of considering

the expediency of dispensing with the said resolutions, or any of them, not exceeding four from each county, or a majority of such of them as shall attend shall determine otherwise."

This non-importation association was sustained in vigorous operation by special committees, appointed by kindred associations in each of the counties, who were charged with the duty of inquiring into and reporting the facts of every case of actual or suspected violation of the agreement. Although the association was frequently put to the test, it was continued with great vigor and unanimity up to the breaking out of the Revolutionary War. Soon after the non-importation agreement was entered into in Maryland, some of the other colonies wavered in their resolves. In October, a number of wagons of contraband goods, valued at £300, were shipped from Pennsylvania to Frederick, and not being accompanied with the proper certificates, they were stored at the risk and the cost of the owners. In the following month several packages of goods were landed in Charles County contrary to the terms of the association, and upon notice being given to the owners by the associators, the goods were re-shipped back to England. As it was rumored in Prince George's County that several vessels were to arrive with European goods, the citizens on the 7th of April, 1770, assembled at Upper Marlborough and "resolved that we will support the association of the 22d of June, 1769, and the committee be directed to cause the same to be carried into effect with the utmost strictness." The citizens of St. Mary's, Queen Anne's, and several other counties, met and adopted similar resolutions. The Maryland *Gazette*, at this time, was printed upon small double sheets, upon which the editor remarks:

"The printers request the public will excuse the size of this paper for one or two weeks, as they cannot even for ready money get a regular supply, owing to the great demand for American paper since the Revenue Act took place; and under the Association in this province, paper of the price on which this *Gazette* is usually published, is not allowed to be imported from Great Britain."

On the 25th of January, 1770, Messrs. Dick and Stewart, merchants of Annapolis, advertised in the Maryland *Gazette*, that the brig *Good Intent*, Captain William Errington, chartered by Mr. John Buchanan, a merchant in London, was expected to arrive at Annapolis with goods consigned to several of the merchants, and that none of the goods should be landed for twelve days after her arrival, in order to allow the committee of inspection to examine her papers, etc. Upon her arrival, four commissioners from each of the counties who were principally interested in the importation, met at Annapolis, and after some consideration, resolved that the goods should not be landed, and the brig should return to London with her whole cargo. Immediately upon the announcement of this decision, the governor says:

"I endeavored, as my duty to my sovereign and the colony required, to persuade them to reconsider the matter, and for that purpose laid before them extracts of your lordship's two last letters to me; but could not convince them of the impropriety of their conduct on this occasion, when they have the greatest reason to expect that the act they complain of as a grievance is, already, or shortly will be, repealed. The arguments had

no effect, and the Brig sails to-morrow for England, liable to be seized in the first English port she enters for carrying back India goods and other things contrary to the condition of the bonds given on shipping them; liable also to actions on every bill of lading given by the Captain, who could act not otherwise than he has done, any more than the merchants themselves."[1]

On the first of August, 1768, Governor Horatio Sharpe was superseded by Sir Robert Eden, Bart. Governor Sharpe (who had been an officer in the British army,) had entered office in March, 1753, at a time when there was great excitement on the subject of the French plans for domination, and exerted himself vigorously in the measures of resistance. Made royal commander-in-chief of all the forces operating against the French on the Ohio, he displayed the greatest energy in organizing both attack and defence; and when superseded by Braddock, was unremitting in his exertions to secure the success of the campaign. Upon the news of Braddock's disaster, Governor Sharpe seemed almost to multiply himself, raising troops, hurrying to the scene of danger, and rousing the courage of the people; displaying at once the energy of youth, and the skill of a veteran soldier. In his contention with the Lower House, although the equity of the case was with them, he faithfully performed his duty as the representative of the proprietary and the crown, under circumstances most trying. His letter-books bear honorable testimony to a character, somewhat hot tempered and arbitrary, it is true, but brave, honorable, faithful and intelligent; and had not the unwisdom of others forced him into a hopelessly false position, Maryland could have recorded the names of few better governors than Horatio Sharpe.

Governor Eden, who succeeded, was the son of Sir Robert Eden, of West Auckland. He married Caroline, the youngest daughter of Charles, Fifth Lord Baltimore, and consequently was brother-in-law to the proprietary. He did not assume office until the 5th of June, 1769. Before his departure from England in the winter of 1768–9, an attempt was made to repeal the Revenue Act, but it was resisted, on the ground that it was an improper time to yield to the demands of the colonists. In consequence of the combined action of the colonies, however, the current of British trade had completely turned, and the Act became exceedingly unpopular in Great Britain. After the close of the session on the 13th of May, 1769, Lord Hillsborough, in a circular letter, declared that the king did not entertain a design to lay any further taxes upon America for the purposes of raising a revenue, but on the contrary, at the next session of parliament it was his intention "to take off the duties upon glass, paper, and colors, upon consideration of such duties having been laid contrary to the true principles of commerce." In the meantime, the king's speeches, the parliamentary documents, the debates, and a flood of letters circulating in the American newspapers, revealed the temper of England, and filled the colonies with indignation. The British Government had threatened to make an example of the popular leaders in the colonies, by transporting them to England to be tried for their lives in the King's Bench.

[1] Letter of Governor Eden to the Earl of Hillsborough, dated February 21, 1770.

To this threat, the House of Burgesses of Virginia, on the 16th of May, 1769, replied by not only asserting that the sole right of imposing taxes on the people of that colony dwelt in themselves alone, and that it was the privilege of the inhabitants to petition the king for a redress of grievances, and to request the other colonies to unite with them for that purpose, but also declaring "that all trials for treasons, misprisions of treason, or for any felony or crime whatever, committed by any person residing in the colony, ought to be in, and before his majesty's courts in the colony; and that the seizing any person residing in the colony, suspected of any crime whatever, committed there, and sending such person to places beyond the seas to be tried, is highly derogatory of the rights of British subjects, as thereby the inestimable privilege of trial by a jury from the vicinage, as well as the liberty of producing witnesses on such trial, will be taken away from the party accused." They also prepared a dutiful and loyal petition to the king beseeching him to quiet the minds of the inhabitants of that colony, by averting the dangers and miseries that might ensue from the seizing and carrying beyond sea any person residing in America, to be tried in any other manner than by the ancient mode of proceeding.

Peyton Randolph, the Speaker of the Virginia House of Burgesses, sent the resolutions to other assemblies, accompanied by a brief circular letter expressing a belief that the importance of the subject would command their immediate attention, and that the circumstances of America would evince the propriety of the action.

The assemblies, as they met, responded heartily. The Assembly of Maryland was convened on the 17th of November, and immediately took into consideration the Virginia resolutions. A message was sent to Peyton Randolph informing him that the Maryland House of Assembly had unanimously concurred with the House of Burgesses in their resolutions. A similar message was also sent to the other colonies, after which, they passed, on the last day of the session, (December 20th, 1769,) the following resolutions:

"*Resolved, unanimously*, That the representatives of the Freemen of this Province, in their legislative capacity, with the assent of the other part of the legislature, have the sole right to lay taxes and impositions on the inhabitants of this Province, or their property and effects; and that the laying, imposing, or levying, or collecting any tax, on or from the inhabitants of Maryland, under color of any other authority, is unconstitutional, and a direct violation of the rights of the Freemen of this Province.

"*Resolved, unanimously*, That it is the undoubted privilege of the inhabitants of this Province to petition their Sovereign for redress of grievances, and that it is lawful and expedient to procure the concurrence of his Majesty's other Colonies, in dutiful addresses, praying the royal interposition in favor of the violated rights of America.

"*Resolved, unanimously*, That all trials for treason, misprison of treason, or for any felony or crime whatsoever, committed and done in this Province, ought, of right, to be had and conducted in and before the Courts of Law held within this Province, according to the fixed and known course of proceeding; and that the seizing of any person or persons suspected of any crime whatsoever, committed in this Province, and sending such person or persons to places beyond the sea to be tried, is highly derogatory of the rights of

British subjects, as thereby the inestimable privilege of being tried by a jury, from the vicinage, as well as the liberty of summoning and producing witnesses on such trial, will be taken away from the party accused."

The people of the province were now thoroughly aroused at the course of policy pursued by the parent country. William Eddis, who arrived in Annapolis on the 3d of September, 1769, in a letter to a friend in London, dated October 19th, thus speaks of the condition of affairs in the province:

"Public affairs do not, at this juncture, wear the most flattering aspect. You, who know with what applause the repeal of the Stamp Act was received on this side the Atlantic, will not be surprized to hear that a revival of the claim of taxation, by laying duties on other articles, has renewed the apprehensions of discontents which had happily subsided; and the establishment of admiralty courts, during the course of the preceding year, appears to have raised a determined opposition to the proceedings of government. To know where it will terminate is beyond the reach of human penetration. Associations are forming from one extremity of this continent to the other; few appear to dissent from the popular creed; and it seems to be generally admitted, that if the Americans steadily adhere to their non-importation agreement, they will from the interest, if not from the equity of the parent-State, obtain redress of grievances. 'Statist I am none, or like to be;' therefore am by no means competent to deliver my sentiments on this very alarming subject. There are some zealots, who are frantic enough to affect a bold language, and to talk of hostile measures, if arguments and pacific remonstrances should prove ineffectual."

Nor was this excitement quelled when they heard that on the ground of commercial policy, the duties imposed by the Act of 1767, were to be taken off, excepting the duties on tea. This partial repeal, which took place on the 12th of April, 1770, though not satisfactory, served, it is true, as a small measure, to tranquilize the minds of the colonists. The insignificant duty on tea was continued for the purpose of maintaining the supremacy of parliament, and like a "pepper-corn" rent, was reserved to show the tenure by which the colonists held their rights.

Governor Eden, in a letter dated August 17th, 1770, said:

"From what I can observe, I do not imagine that the taking off the duties on glass, paper, and colors, will put an end to the association, while the duty on tea continues; Although there are some here desirous of ending it, and associating not to import tea, the general voice is that it will stand as a precedent for laying duties in America on some future occasion. I have endeavored to convince the reasonable people, that the act laying the three pence on tea, can only serve as a precedent for any future act that may operate in the same manner it does, which is as a relief, the 25 per cent. drawback exceeding the duty, tea being now much cheaper than it was before that was laid on, and that we ought not, at any rate, to complain of an act that was beneficial to us, as this is. But this argument has not the weight I could wish; I am pretty certain that the laying six pence in England or keeping back the seven pence halfpenny, and taking off the three pence here, would answer the wishes of the Americans entirely."

Before this repeal a number of the colonies seized upon the asurances made by the Earl of Hillsborough, of the intention to relax the restrictions upon importation. While Maryland was vindicating the rights of the colonies by

not using certain European articles of luxury, evasions of the patriotic agreement which the colonies had entered into became more frequent. The cupidity of some of the merchants caused jealousies soon to spring up in a number of the principal cities, the more patriotic seeing that by a strict adherence to the association, they were only throwing the profits of their trade into the hands of less scrupulous rivals. Virginia was about the first to fall away from the non-importation association; and to rebuke her, the Maryland *Gazette* of March 22d, 1770, said: "Maryland presents her best wishes to her sister colony Virginia, and sincerely condoles with her upon the untimely death of all her brave sons, who, in defence of the liberties of their country, formed the resolutions at Williamsburg, in May last."

Again, the Maryland associators, who had bound themselves to each other "by the sacred ties of honor and reputation, neither to import or purchase any article then taxed, or which should thereafter be taxed by parliament for the purpose of revenue," called a meeting of the inhabitants of Annapolis, at the Court House, on the 6th of June, 1770, and resolved not to have any further dealings with the inhabitants of Rhode Island, on account of their violation of the non-importation agreement. Three days later the people of Prince George's, in public meeting, declared their determination to adhere to the non-importation agreement of the 22d of June, 1769, notwithstanding the British Parliament repealed the tax upon all the objectionable articles except tea.

Owing to the violations of the non-importation agreement by Rhode Island, a meeting of the inhabitants of Baltimore was held on the 4th of June, to take into consideration the cargoes of the sloops *Industry* and *Speedwell*, which had entered at that port on the 31st of May. The meeting resolved not to trade with the inhabitants of the Colony of Rhode Island; and the vessels were ordered to depart from the province, which they did a few days afterward.

The mutual distrusts of the cities, finally induced the New York merchants, in July, 1770, to abandon the principles of the association. And, notwithstanding the severest reprehensions of the sister colonies, her example was followed, in September, by the partial secession of the merchants of Philadelphia, and the latter, by the general secession of the Bostonians in the ensuing month.

In Maryland, the abandonment by New York of the non-importation pledges was at first received with general indignation, and by many of the county associations the New Yorkers were denounced as enemies of their country, with whom they would no longer hold any correspondence. On the 10th of August, 1770, the committee of inspection, together with a large number of the most respectable citizens of Talbot County, took into consideration "the late infamous defection of a prevailing faction in New York, from their own engagements, respecting the non-importation of goods from Great Britain," and entered into the following resolves:

"I. *Resolved*, That the non-importation agreement is a measure well calculated to prevent luxury, to promote industry, and to procure a redress of American grievances; and that a firm and steady adherence to it will, in all probability, produce these salutary effects.

"II. *Resolved*, That the partial repeal of the American Revenue Act, is rather a banter on our understanding, or a trap to ensnare us, than an argument to induce us to depart from the non-importing scheme.

"III. *Resolved*, That an acquiescence in the act retaining the duty on tea, would be a tacit acknowledgment of the right of Parliament to tax the people of America, and would probably terminate in the absolute slavery of these colonies.

"IV. *Resolved*, That to pursue and to promote the happiness of the community, by making our own private interest give way to the public advantage, is noble and honorable, and the duty of every friend and lover of his country.

"V. *Resolved*, That the conduct of a prevailing faction in New York, who from a low and pitiful view of their own particular interest, have violated their engagements to their country, engagements entered into with deliberation and unanimity, is scandalous, sordid and infamous, as being manifestly founded in a vicious selfishness, and tending to weaken the Union of the Colonies, to wound the public character of America, to dishearten its friends and to strengthen the hands of a corrupt and oppressive ministry, the enemy that threatens to make us lick the dust of their feet.

"VI. *Resolved*, That, as a proof of our detestation and abhorrence of the step lately taken by that prevailing faction, we will renounce and break off all commercial connexion, correspondence, dealings, and intercourse, with the Province of New York, until they shall either retract their error, or the act retaining the duty on tea be repealed—And we do, most earnestly, invite, implore, and obtest, all the friends of their Country and of Liberty, by all that is valuable and dear to them, to continue firm in their adherence to the non-importation agreement, to break off and desist from all commercial communication and intercourse with the people of New York, and to stand determined to mark all false brethren, and particularly the wretched authors of the present vile defection, with contempt and disgrace; that they may be branded as the betrayers of their Country, be despised of the people and become an hissing among the nations."[1]

As the defection of the northern cities rendered the effectual maintenance of the general system impracticable, the merchants of Baltimore, who were the first to adopt the non-importation agreement in the province, called a meeting on the 5th of October, 1770, to determine upon the expediency of rescinding the association, so far as it related to the articles not taxed. No merchants on the continent adhered more strictly to their engagement than the merchants of Baltimore, so long as they thought it could by any means bring about a repeal of the Act of Parliament complained of. But after New York, Philadelphia and Boston had repudiated the association, they came to the conclusion that their adherence, without the support of the other colonies, would not accomplish their designs, and they, therefore, wished to be released from an engagement which bound them to a useless self-sacrifice.

The meeting proposed a general convention at Annapolis on the 25th of October, to determine upon the matters in question, and avowed the deter-

[1] The committees of Inspection for Queen Anne's and Prince George's counties, on the 15th of October, reshipped to London all the contraband goods which had, from time to time, been seized for a violation of the non-importation association.

mination that if the convention was not held, they would secede from the agreement, so far as it related to articles not taxed. They appointed Jonathan Hudson, John McClure, John Merryman and John Boyd, delegates to the Annapolis Convention. In pursuance of their resolves, a general meeting of the committees of the non-importation association of Queen Anne's, Talbot and Dorchester Counties, a large majority of the representatives in assembly, some members of the Common Council of Annapolis, and many other persons from various parts of the province, assembled at Annapolis on the 25th of October. The sentiments of the meeting were entirely adverse to the proposition of Baltimore; and from the tenor of the following resolutions which they adopted, it seems manifest that the general sentiment of the colony was in favor of adhering to the original restrictions of the system.

"I. *Resolved, unanimously*, That it is the opinion of this meeting, that the British subjects in America have a constitutional, exclusive right of taxing themselves in a legislative capacity.

"II. *Resolved, unanimously*, That it is the opinion of this meeting, that the non-importation agreement was a necessary, prudent and legal measure, for obtaining redress of the aggrievances of America, and, if generally adhered to, would interest the merchants, traders and manufacturers of Great Britain, in obtaining a repeal of the unconstitutional Revenue Act, would be of great importance in promoting frugality, industry and manufactures among ourselves, and the most likely means to obtain the desired end.

"III. *Resolved, unanimously*, That the Association entered into the 22d of June, 1769, be strictly adhered to.

"IV. *Resolved, unanimously*, That those *six persons*,[1] who style themselves 'the merchants and traders of *Baltimore Town*,' together with Mr. Jonathan Hudson, who brought and delivered their indecent and inconsistent message to this meeting, have, by their conduct, shewn a shameful disregard, as well to their own engagements as to the most sacred rights and liberties of America, and, as far as lay in their power, endeavored to destroy that Union and good faith so necessary at this, and at all times for the safety and constitutional rights of these Colonies.

"V. *Resolved, unanimously*, That if the Merchants and traders of Baltimore Town, or elsewhere, shall depart from the non-importation agreement, we will not (nor ought any other person, in our opinion, within this Province) buy, take up, or receive any goods whatever from such of them who shall, by any means, break the Association.

"*Lastly. Resolved, unanimously*, That the above resolutions be printed in the Maryland *Gazette*, and transmitted to the several Colonies. And the people of America are hereby intreated and conjured, by all the sacred rights of freemen, to join, as one man, in the rejection of all foreign superfluities, until a total repeal of the injurious and oppressive Revenue Act takes place."[2]

While among the foremost in resistance to foreign encroachments, the colonists of Maryland regarded with jealous watchfulness their internal government. A deep and engrossing controversy now engaged their attention—a controversy for a right deservedly held dear, a right for whose support England's power was encountered. Though the proprietary appointed all

[1] John Smith, William Lux, William Smith, William Buchanan, Samuel Purviance, Jr., and E. Mackie.

[2] Maryland *Gazette* of November 1, 1770.

officers of the province, the people, through the conceded power of the assembly to establish the fees of office by law, held a wholesome check upon the recipients of proprietary favor; of the utility of its possession they had ample proof in their own experience, of the efficiency of a similar power in resisting encroachments, their ancestral history afforded a striking test. Acting immediately upon the sovereign himself, the power of granting and refusing supplies was ever essential to the exercise of the rights, if not in the very existence of the Commons of England. In the contest for free principles during the reign of James I., the benefits of this cherished power were appreciated, as its influence was then chiefly felt. Under its quiet but powerful agency the plenitude of the "divine right of kings" became a mere "*brutum fulmen*," and the precedents for unbounded exercise of prerogative drawn from the times of Tudor and Plantagenet were appealed to in vain. Such a power, capable of such exercise, had the colonists secured them by earliest legislation in the establishment of fees of office by law. Enacted but for a specific period, frequent renewals and modifications had from time to time been made as deemed requisite.[1] At this time (1770), the fee bill of 1763, about to expire, came before the assembly for re-enactment, but owing to the disagreements existing between the two houses in relation to its provisions, and compromise proving impracticable, the assembly was prorogued. This question and the subject of the church establishment now became the all absorbing issues with the great political question which finally separated the province from the mother-country.

The first great question of dispute between the people and the proprietary government at this time grew out of the levying by the proprietary of "the 12*d.* sterling per hogshead" on all tobacco exported. This "tobacco duty," which originated in 1671, was a duty of two shillings sterling per hogshead on all exported tobacco; one-half of which was to be devoted to the defence of the province and the support of the government, and the residue to be given to the proprietary in consideration of his acceptance of tobacco at the rate of 2*d.* per pound in settlement for his quit-rents,[2] and alienation fines.[3]

[1] T. H. Hagner's *Address*, p. 24.

[2] Annual rents, reserved by the proprietary in his grants, to be perpetually paid. This system of leasing land is the foundation of our present "ground-rent" custom in Maryland. In the earliest grants, under the first conditions of plantation, the quit-rents were made payable in wheat; but, in general, with regard to the rights acquired after the year 1635, the rent was payable either in money alone, or in the commodities of the country, at the option of the proprietary.

[3] These were the incidents of the feudal tenures generally, as they originally existed in England. They appear to have belonged as well to the socage tenure as to that in chivalry; and the same feudal reasons existed for their connection with both. They carried with them an implied contract; on the part of the tenant, that he would not alien the lands held by him without the consent of the lord of the fee, and thereby impose upon him a new tenant, who was not in his contemplation at the time of the grant; and on the part of the lord of the fee, that he would not transfer his seignory to a new landlord, and thereby subject the tenant to a service which he had never anticipated. In consequence of the extortions that were practiced under this law in England, it was abolished in 1660; but it continued to exist in Maryland until the American Revolution. The first notice of fines for alienation which we find, is contained in the conditions of plantation of the 22d September, 1658, which directed, that in all grants issued thereafter upon plantation rights, there should be

This Act which was only to continue during the life of the first proprietary, was continued by Acts passed in 1674 and 1676, to Charles Calvert and his son Cæcilius during their lives. Upon the death of Charles Calvert and his son, these commutation Acts were further continued until 1717, when they were purchased by the assembly. This Act of 1717, gave to the proprietary, for his own personal benefit, a duty of two shillings sterling per hogshead, or four pence sterling on every hundred weight of tobacco exported in box, case, chest or barrel, and so *pro rata*, in full discharge of his rents and fines; and being temporary, it was continued by various Acts until October, 1732, when it expired. During the royal government in 1704, the duty of twelve pence per hogshead which was originally given for the defence of the province and the support of government was given for the same purpose to the queen, her heirs and successors to the throne of England, and was principally applied, under the direction of the crown, to the support of the royal governor. From the restoration of the province in 1715, to the proprietary, owing to his large revenues from other sources, until 1733, this duty does not appear to have been collected. But from this period until 1739, it appears to have been collected without any opposition on the part of the assembly. At this latter period, however, the assembly protested against its collection, on the ground that by its express terms it was made payable to the royal government, and, therefore, became extinct upon the restoration of the proprietary; and that its collection was an assumption of the powers of levying money under the pretense of prerogative, which was inhibited even to the kings of England. To show that they were contending only for the principle, they agreed to secure to the governor *by law* the same amount of duty, and they passed an Act for that purpose, the preamble of which exhibits the same sentiments which they so manfully maintained at a later period in relation to the proper source of taxation. In their message to the governor proposing the law, they say:

"Your excellency is too well acquainted with the nature of the British constitution to be informed by us, that it is the peculiar right of his majesty's subjects not to be liable to any tax or other imposition but what is laid upon them by laws to which they themselves are a party; and we do with the greatest sincerity assure your excellency, that it is in pursuance of this, our undoubted right, and for no other cause, that we give you the trouble of this address. The preamble to the act itself sets out, '*that it is not their intention to deprive the governor of an honorable support, but only to assert and maintain to themselves, their constituents, and posterity, that principle and most essential branch of liberty,*

reserved upon the patent one year's rent for a fine, to be paid upon every alienation of the land granted, such rent being estimated by the rent reserved as quit-rent. The officer issuing the patent was also directed to insert in it a condition, that the tenant should not alien the land without entering the alienation either upon the records of the provincial court or those of the county in which the land lay, and that the fine should be paid before alienation, or else the alienation to be void. Thus were they fully introduced, and thus they existed until the Revolution. When the commutation for the quit-rents was agreed upon and fixed by the Act of 1671, chapter xi., the alienation fines were included in it, and also in that of the Act of 1717, chapter vii., which was substituted for the former. The latter Act having expired in 1733, these fines, as well as the quit-rents, became payable in money, and continued thus payable until the Revolution.—McMahon, p. 174.

to which they conceive themselves entitled, as subjects of Great Britain, of not being liable to the payment of any money, tax, impost, or duty, except such as shall be warranted, raised and assessed by the laws of the province.' "

The Act was not acceptable to the governor; and from that period until the Revolution, the collection of the duty was continued in defiance of all the remonstrances of the Lower House of Assembly. The subject was revived at each session, and on frequent after occasions, when the Lower House thwarted the views of the governor or his council, they continually appealed to the levying of this duty as a part of their justification.[1]

The disputes between the two Houses growing out of the tonnage tax of twelve pence per hogshead on tobacco, to defray the charges of the government, broke out afresh about 1749, on the refusal of the Lower House to allow a new assessment to pay the salary of the clerk of the council. The House claimed the right to see that all the taxes collected under the Act of 1704 were applied to the support of the government before any other levy was made. The Upper House insisted that as he was the servant of the people, he should be paid by them, and not out of the fees of the Lord Proprietary. This the Lower House denied, pleading the general constitutional principles, and the non-representation of the colonies in parliament. In a message to the Upper House, in November, 1765, they say it was upon "this principle that our predecessors struggled for and obtained the extension of the beneficial statutes; obtained to the public the ordinary license fines, and the establishment by law of the judges' oath. It was on this principle that our predecessors firmly and effectually opposed the claim for councillors' attendance, double *per diem* allowances to the same person for attendance in two or more capacities in the same day; the monstrous and unreasonable accounts of fees for prosecutions against those who had been guilty of excesses in the proprietary disputes about the limits of this province and Pennsylvania; and the absurd claim of a late governor, founded only in the abuse of a trust conferred on him by the public—benefits to this province, now universally acknowledged, and more than adequate to temporary inconveniences that those struggles for liberty and justice occasioned. The part your predecessors took in those glorious contests need not be exhibited, our journals and yours are full of messages from the Upper House very like your last, and in those of our predecessors solid answers may be found to almost everything you have advanced on this subject. Truth and reason have prevailed at last, though the journals of both houses are mournful histories of their being for a time suppressed by power, or obscured by proprietary influence."

In consequence of the differences which had long subsisted between the two houses, respecting the claim of Mr. Ross, the clerk of the Upper House, the "passage of the journal" or the appropriation bill was prevented. This caused a great scarcity of specie in the province, and the public credit was reduced to an extremely low condition. In 1766, an Act was passed "for the payment of the public claims, for emitting bills of credit, and for other

[1] McMahon, pp. 178-180.

purposes." At the time of passing this Act, there appeared by the journal of accounts and list of debts, agreed to by both Houses, to be due from the province 5,623,499¼ lbs. of tobacco, payable in money, and equal to £21,088 2*s.* 6*d.*, at the rate of 7*s.* 6*d.* sterling for 100 lbs.; and the sum of £19,841 1*s.* 2½*d.* nominal money, equal, at the real exchange, to £11,904 12*s.* 3½*d.*; these two sums aggregating £32,992 15*s.* 2½*d.* It also appeared that on the 20th of May, 1766, the trustees of the province held in Bank of England stock, £26,800, and dividends not invested £5,230 17*s.* 2*d.*

To remedy the evils that were then prevailing in consequence of the Upper House insisting upon claims that were inconsistent with the chartered rights of the people, and to restore public credit, bills of credit on the foundation of the bank stocks to the amount of $173,733 were, by this Act, directed to be issued by the 20th of February, 1767. Two commissioners were appointed to issue the bills and settle the accounts as agreed upon between the two Houses. For the redemption of this money, the Lord Proprietary, or the Governor, between the 25th of June, 1777, and the 25th of December following, was to receive such bills and give in exchange a draft, payable at forty days' sight upon the trustees of the bank stock in London, and the money should then be deposited in the name of the province. Whether this money was ever redeemed, it is impossible now to say, for before the period of redemption a different kind of redemption took place.[1]

The exorbitant fees allowed by the proprietary to his relatives or friends who held the principal offices in the province, had now become so burdensome as to cause an invincible disagreement between the two Houses, the Lower House striving to reduce them, while the Upper, whose members enjoyed the most lucrative of these offices, unanimously resisted any such reduction.[2] After many ineffectual attempts at compromise, and much angry discussion, the assembly was prorogued. In consequence of this prorogation, the province was left without any legal regulation of officers' fees, as well as any public system for the inspection of tobacco. The fees of the officers, as we have before stated, were regulated by Act of Assembly, passed in the year 1763, but which had expired by limitation, in October, 1770. This, as we have shown, came up for renewal at the session of September, 1770, but as the Act of 1763 was objected to, the assembly was prorogued without effecting a settlement of the question.

[1] By the Act of 1769, $318,000 of bills of credit were issued.

[2] Some of these salaries and fees were as follows: Horatio Sharpe — Salary as Governor, £1,000; fees as Surveyor General, £226 11*s.* 7½*d.* currency; fees as Chancellor, ——. Benjamin Tasker—Salary as President of Council, £6 15*s.*; salary as member of Upper House, £26 6*s.* 6*d.*; fees as Joint Commissary, £483 14*s.* 6¾*d.*; total, £516 15*s.* 6¾*d.*, currency. Benj. Tasker, Jr.—Salary as Councillor, £6 15*s.*; salary as member of Upper House, £26 6*s.*; fees as Naval Officer, £318 12*s.* 4*d.*; total, £351 13*s.* 4*d.*, currency Edmund Jennings—Salary as Councillor, £6 15*s.*; salary as member of Upper House, £26 6*s.* 6*d.*; fees as Secretary from County Clerks, £438 15*s.* 11½*d.*; fees as Register in Chancery, £164 5*s.* 1½*d.*; fees as Clerk Provincial Court, £859 11*s.* 3*d.*; fees as Notary Public, £12 5*s.*; total, £1,307 18*s.* 10*d.*, currency. George Steuart—As Joint Judge Land Office, £437 1*s.* 6*d.*; as Commissioner Loan Office, £90; total, £517 1*s.* 6*d.*, currency. Daniel Dulany—As Joint Commissary, £483 14*s.* 6¾*d.*, currency. The pound currency was worth about 12*s.* sterling.

The law establishing the salaries of the officers of the province being thus dead, in the absence of all enactment on the subject, Governor Eden resolved, under the authority vested in him, to regulate the fees by proclamation. Accordingly, on the 26th of November, 1770, he issued his proclamation, establishing the fee-bill of 1763, and requiring the officers to receive their fees in money, at the rate of commutation then fixed, if tendered at the time of service. This course was equivalent to what the Lower House had just refused to sanction, and it was, therefore, in general estimation, a measure of arbitrary prerogative, usurping the very right of taxation which the colony had been so long defending against the aggressions of parliament.

As soon as the proclamation appeared, the great body of the people were aroused, and their resistance was most resolute. Parties were formed upon it, and drew to their aid the ablest minds in the province, and it is not to be doubted that on the political arena now opened in Maryland, many a mind was taught the use of weapons that were afterwards wielded with irresistible power upon a broader field.

Events soon brought matters to an issue. A clerk in the land office, under the instructions of the judges, secured the fees agreeably to the provisions of the law of 1763, and this being brought to the notice of the Lower House, the clerk was imprisoned by its order. To release him, Governor Eden prorogued the assembly for a few days. On its re-assembling, the Lower House sent an indignant remonstrance to the governor, in which they distinctly defined their position, declaring that "the proprietor has no right, either by himself, or with the advice of his council, to establish or regulate the fees of office; and could we persuade ourselves, that you could possibly entertain a different opinion, we should be bold to tell your excellency, that the people of this province ever will oppose the usurpation of such right."

This manly protest availed but little, however, for his excellency not only refused to recall the proclamation, but added that, under similar circumstances, he would again pursue a similar course, and therefore again prorogued the assembly.

In the midst of all this discussion another contest of little less importance was carried on relating to the provision for the clergy and the "Vestry Act." Upon the prorogation of the assembly, without re-enacting the law of 1763, there was no statute regulating the assessment for the clergy but the Act of 1702. Under this law, every minister "presented, inducted or appointed" by the governor was to receive forty pounds of tobacco per poll, levied on the taxables of the parish. The sheriffs were directed to collect the minister's tobacco; and every dissenter was compelled to pay for the support of the Established Church. Upon the expiration of the Act of 1763, which reduced the tax to thirty pounds per poll, the Act of 1702 was revived, increasing it to forty pounds.

The large number of dissenters in the province had long been restless under the burden of a tax imposed for the support of a clergy whose minis-

trations they declined; and it must be admitted that in too many cases the character and life of the clergyman forced upon the parish by the proprietary, fully justified the reluctance.[1]

As before stated, these controversies had been principally conducted by the discussions between the two Houses of Assembly and by oral appeals to the people. But on the 30th of July, 1772, the matter was taken up by the press; and then began a war of essays, as fierce as the war of words that preceded it. It began on the 30th of July, 1772, by a communication published in the Maryland *Gazette* under the assumed name of "Jack Frank," in which

[1] The popular feeling upon this subject is presented in a letter written by Dr. Chandler, a well-known and able defender of the Episcopal Church, to the Bishop of London, upon his return from a visit to Maryland. "I think it my duty," he said, "to take this opportunity to report to your Lordship, that I found the people on the southern part of the Eastern shore, where I spent a fortnight, to be the most religious and, at the same time, the freest from enthusiasm, of any people I have ever met with. There are no Roman Catholics in that part of the province, and but very few dissenters of any sort. The parishes are all large, and the livings are generally worth £300, some of them are worth £500, and but very few so low as £200.

"The general character of the clergy, I am sorry to say, is most wretchedly bad. It is readily confessed, that there are some in the province whose behavior is unexceptionable and exemplary; but their number seems to be very small, in comparison, they appearing here and there like lights shining in a dark place. It would really, my Lord, make the ears of a sober heathen tingle to hear the stories that were told me by many serious people of several clergymen in the neighborhood of the parish where I visited; but I still hope that some abatement may fairly be made, on account of the prejudices of those who related them.

"The inhabitants look upon themselves to be in a state of the most cruel oppression, with regard to ecclesiastical matters. The churches are built and liberally endowed entirely at their expense; yet the proprietor claims the sole right of patronage, and causes induction to be made, without any regard to the opinion of the parishioners. Those who are inducted are frequently known to be bad men at the very time, and others soon show themselves to be so. After induction, there is no remedy; as they cannot be removed, not even by the highest exertion of proprietary power. These are the complaints of the *people*, and I was desired to present them to your Lordship, and to implore your interposition in their favor."

In confirmation of the strong language used in the above letter concerning the clergy of Maryland, a clergyman, who was "faithful among the faithless," furnished to the Bishop of London the following description of one of his brethren. After naming him, he says: "He is a native of Ireland, and hath been a good many years in America, where, by his own account, he hath lived a vagrant life, strolling from place to place, through most of the colonies upon the continent. He kept a house of public entertainment for some time at Philadelphia, of no good repute, as I have reason to believe. He was likewise in the army here, particularly at the siege of Louisbourg, when he belonged to the train of artillery. The war being over, and strolling about as he had been accustomed to do, he came to Maryland, and was appointed master of the free school of the county of ——, where I live. Here he married a wife, who left him in a few weeks' time, apprehending her life to be in danger from his violence. She had much reason; for he is an abandoned drunkard, and when drunk, an outrageous madman. He remained with us five or six months, and having got in debt, left us abruptly—in other words, ran away; and I was in hopes I should hear no more of him forever. Your Lordship will judge what was my surprise and indignation upon receiving a letter from London, informing me that he was in holy orders.

"Such was his conduct before he was ordained, and your Lordship shall hear that his change of character brought no change of manners in him. Upon his arrival from England, he officiated in the parish where he had before resided; and immediately after the service, got drunk, and behaved in the most outrageous manner, to the scandal and grief of the friends of the Church of England, and to the triumph of its enemies. He officiated again at Annapolis, the metropolis of this province, when the congregation, as I was well informed, through indignation at his unworthy character, in a good measure deserted the church. Having made a short stay here, where he met with no countenance, and having prevailed with his wife against the sense of all her friends to accompany him, he went to North Carolina, where, together with a parish, he enjoys a small appointment of £20 per annum from the society—how worthily your Lordship, from this detail, will judge."—F. L. Hawkes, *Prot. Epis. Church in Maryland*, pp. 249–252.

Oct. 7, 1753, Rev. Thos. Craddock (St. Thomas' parish, Baltimore county), preached in St. Ann's Church, Annapolis, "an excellent sermon on the irregularities of some of the clergy, before the Governor and both Houses of Assembly."

the writer said it was the opinion of some of the lawyers "that the Act for the establishment of religious worship in this province, made in the year 1701–2, is for some reason or other, absolutely *null* and *void*."[1] This communication was the forerunner of the most exciting newspaper war that was ever known in the province, which was not confined to the lawyers alone, the clergy also entering heartily into the contest, and maintaining their ground with great ability.

The ground taken in opposition to the Act of 1702, was, that the session of assembly by which it was passed met on the 16th of March, 1701–2. King William died on the 8th of the same month, and it was contended, therefore, that as the House of Delegates was chosen under writs of election issued in the name of King William, their authority ceased with his life; and that as the House met subsequent to his death, their Acts were unlawful, because they were not chosen under new writs issued in the name of his successor.

This was high and bold ground, and the preservation or redemption of the Established Church was at issue. Believing that Samuel Chase and William Paca were the instigators of the communication of "Jack Frank," the Rev. Jonathan Boucher, a man remarkable for talent and private worth, and one of the brightest ornaments of the Maryland clergy, in a communication published in the *Gazette* on the 31st of December, submitted a number of queries to those gentlemen, questioning the legality of their authority to act as vestrymen of St. Ann's Church. Mr. Boucher contended, that if the Act of 1702 was illegal, then these gentlemen, who were acting as vestrymen, as provided for in that law, were acting without legal authority.

Warm advocates appeared on either side of the question, and the discussion assumed a tone of great warmth and animosity. Among the champions of the proclamation, appeared a writer who put forth his views in a dialogue between two citizens, one of whom attacked the obnoxious measure, and the other defended it, the victory being given to the "Second Citizen," its defender. The great ability and adroitness of this article marked it as the production of no common mind, and called forth an antagonist of corresponding strength. Mr. Charles Carroll of Carrollton, stepped forward on February 4th, and assumed the cause and the signature of the "First Citizen," whereupon Daniel Dulany, the provincial secretary, and the ablest lawyer in the province, became Mr. Carroll's antagonist, under the signature of "Antilon."

[1] In March, 1774, Mr. Joseph H. Harrison, one of the representatives of Charles county in the House of Assembly, determined to test the legality of the Act of 1702 for the collection of the forty per poll tax, which had been the cause of so much controversy in the province. He refused to pay the tax, and the sheriff, Richard Lee, Jr., ordered an execution upon Mr. Harrison, to compel payment, and arrested him at his house. Mr. Harrison, finding the sheriff would have imprisoned him to enforce payment of the tax, paid it under protest to redeem his person. Mr. Harrison, in consequence of his arrest, brought an action against the sheriff for assault and battery and false imprisonment, laying his damages at £60. The sheriff pleaded "not guilty;" and also justified under the Act of 1702. There was no such aggravating circumstances as dragging the plaintiff to jail, or ill-treatment of him; yet such was the idea which the jury entertained of the liberty of the subject, that they looked upon the sheriff's arrest and execu-

Charles Carroll, surnamed of Carrollton, was the son of Charles Carroll and Elizabeth Brooks, and was born at Annapolis on the 8th of September, 1737, O. S., (20th September, N. S). His grandfather was Charles Carroll, son of Daniel Carroll, a native of Littamourna, King's County, Ireland, of the Inner Temple, and a clerk in the office of Lord Powis, in the reign of James II. He emigrated to Maryland about the year 1680. Through the friendly intervention of Lord Powis, he was selected in 1691 to succeed

CHARLES CARROLL, OF CARROLLTON.

Colonel Henry Darnall as Judge and Register of the Land Office, and as the agent and receiver of rents for Lord Baltimore, in the Province of Maryland.

He took an active part in the public transactions of the times, was an influential person in the administration of provincial affairs; and in 1718, was one of those who were by name exempted from the disqualifications

tion of the *forty per poll* as an offence of the *first magnitude* against the rights of Englishmen, and brought in a verdict for the plaintiff, and gave him £60 damages, which was the whole sum in the declaration. The counsel for the plaintiff were Messrs. Baker Johnson, Samuel Chase, William Paca, and Thomas Johnson; for the defendant, Thomas Stone, John Rogers, and Cook.

imposed upon Catholics by the penal code of Maryland. He died before the year 1747, and was succeeded by his son, Charles Carroll, the father of Charles Carroll, of Carrollton, in the well-earned consideration of the colony. He was born in 1702, and died at Annapolis, May 27, 1782. His life was useful, distinguished and able.

So intolerant towards Catholics were the colonial laws at an early date in the province, that Catholic schools were not permitted in the colony. The Jesuits had, however, succeeded, without attracting the attention of the public authorities, in establishing at Bohemia, a secluded spot on the Eastern Shore, a fine grammar school for boarders, which was intended to prepare students for the European colleges, and which has been appropriately termed "The Tusculum of the Society of Jesus." It was at this institution that Charles Carroll, of Carrollton, about the year 1747, acquired the first rudiments of education. In 1748, when about eleven years of age, he was taken, together with his cousin, John Carroll, afterwards Archbishop of Baltimore, to the College of English Jesuits at St. Omer's, in French Flanders, where he remained six years, studying the classics. He was then entered at the College of Louis Le Grand. After two years spent at Louis Le Grand, he went to Bourges, the capital of the Province of Berri, to study the civil law, and after one year thus occupied, he returned to college at Paris.

In 1757 he went from Paris to London, and took lodgings in the Inner Temple, where he prosecuted his common law studies till 1764, when, on February 12th, 1765, he returned to Maryland, with the weakness of infancy exchanged for the strength of manhood, deeply imbued with the principles of his fathers, and strongly armed both by nature and education, to defend and to advance them.

On June 8th, 1768, he married Miss Mary Darnall, the daughter of Henry Darnall, Jr., a distinguished gentleman of the province. This lady was described in the Maryland *Gazette* of the day as "an agreeable young lady, endowed with every accomplishment necessary to render the connubial state happy."

In the political discussions against the oppression of Great Britain, Mr. Carroll embarked at once and soon ranked with the Chases and Pacas in the distinguished regard of his fellow citizens.

Besides the other public positions he held, of which we shall speak more fully hereafter, he was, towards the close of the year 1776, appointed on the committee to prepare a new constitution for the State. In December of the same year, he was elected a member of the first State Senate under the new constitution; and February, 1777, he was again returned to Congress, of which body he continued an active and influential member until 1778, when the treaty with France quieted all his fears for the success of American independence, and feeling that his duty as a State Senator summoned him to Annapolis, he resigned his seat in Congress and resumed that in the Maryland Senate.

In 1781, he was again elected a State Senator, and in December, 1788, a Senator of the United States from the State of Maryland, under the new Federal Constitution. In drawing lots to determine who of the Senators should serve for two, four and six years respectively, Mr. Carroll drew the short term of two years. Congress was then sitting in New York. On the expiration of his term in the United States Senate in 1791, Mr. Carroll was again elected to the Senate of Maryland. He was re-elected to that body in 1796, and in 1797 was appointed one of the commissioners to settle the boundary line between Maryland and Virginia. He remained a member of the State Senate till the year 1801; when, upon the defeat of the Federal Party of which he was an active member, he retired to private life, being then in his sixty-third year. He laid the corner-stone of the Baltimore and Ohio Railroad, on the 4th of July, 1828, and on the 14th of November, 1832, died in Baltimore. He was the last living representative of the signers of the Declaration of Independence.

Charles Carroll, of Carrollton, left three children. Charles Carroll, his eldest son, married in 1799, Harriet Chew, daughter of Hon. Benjamin Chew, Chief Justice of Pennsylvania, and had three children—Charles Carroll, who married Mary Digges Lee, a granddaughter of Hon. Thomas Sim Lee, the second Governor of the State of Maryland, and the father of the present governor, John Lee Carroll; Mary Carroll, who married Richard H. Bayard; Louisa Carroll, who married Mr. Jackson; Harriet Carroll, who married Hon. John Lee, and Elizabeth Carroll, who married Dr. Richard Tucker. Elizabeth Carroll, the eldest daughter of Charles Carroll, of Carrollton, married Richard Caton, and was the mother of Lady Wellesly,[1] Duchess of Leeds, and Lady Stafford. The biographer of Charles Carroll, of Carrollton, says: "In 1825, one of Mr. Carroll's granddaughters was married to the Marquis of Wellesly, then Viceroy of Ireland; and it is a singular circumstance, that one hundred and forty years after the first emigration of her ancestors to America, this lady should become vice-queen of the country from which they fled, at the summit of a system which a more immediate ancestor had risked everything to destroy; or, in the energetic and poetical language of Bishop England, 'that in the land from which his father's father fled in fear, his daughter's daughter now reigns as queen.'" Richard Caton died May 19th, 1845. Catharine Carroll, the second daughter of

RICHARD CATON.

[1] The following graceful tribute to the Marchioness of Wellesly was written in 1829 by an Irish lady, "whose pretensions to loveliness and talents were of no ordinary description:"

"Wellesly, to sing perfections such as thine,
What Bard dare strike the chord, or trace the line?
A Lyttleton alone could claim secure
A theme so ample, and a name so pure.
Thy minor charm, a loveliness of air,
Than beauty e'en more beautiful and rare:
That smile so prompt and soft, that sparkling eye
Beaming and dark, yet mild as azure sky.

Charles Carroll, of Carrollton, married the distinguished lawyer and statesman, General Robert Goodloe Harper, born 1765, died January 14th, 1825.

Contemporary testimony represents Charles Carroll, of Carrollton's newspaper controversy with Daniel Dulany, as having been one of the most exciting that was ever conducted in any country. Great ability and learning were displayed on both sides. Mr. Carroll, by the boldness and fearlessness of his views, alarmed even his friends and supporters, who were surprised to see one of the largest landed proprietors in the province, advocating and advancing sentiments which might prove so disastrous to his own personal interests. In one of his articles, alluding to the disagreement in the legislature, he exclaims: "What was done? The authority of the chief magistrate interposed and took the decision of that important question from the other branches of the legislature to itself. In a land of freedom this arbitrary exertion of prerogative will not, must not, be endured." Mr. Carroll gained for the popular cause a triumphant victory. "Antilon" was completely silenced. The extreme and general excitement produced by this controversy, is manifested from the triumphs which followed the victory of the people.

The elections held in May, 1773, during the progress of this discussion, were attended with great excitement, and resulted in the complete triumph of the anti-proclamation party. Immediately after this result had been announced, the people of Annapolis, and the Counties of Baltimore, Frederick and Anne Arundel celebrated the victory with great rejoicings.

Subjoined is the account of these celebrations, taken from the Maryland *Gazette:*

"Last Friday (May 30th) was held the election for the city, when Messrs. William Paca and Mathias Hammond were chosen by a very large majority of the freemen, indeed, without any opposition; much was expected, as Mr. Anthony Stewart had long declared himself a candidate for the city, even before a vacancy by the resignation of Mr. Hall, whose friends in the county insisted upon his taking a poll there.

"Mr. Stewart's private character justly recommended him to the esteem of his fellow-citizens, but as he was originally proposed to turn out Mr. Hall or Mr. Paca, who stood high in the esteem of the people, and as a strong suspicion was entertained of his political

But face and feature yield mean praise for thee:
Perchance the Grecian saw like symmetry—
Perchance, like form, in chivalry's bright days,
Inflam'd the knight, and swelled the minstrel's lays;
But when was seen, wherever yet hath shone,
That touching grace, peculiarly thine own—
Blending the meekest courtesy serene,
A port all dignity, a look all queen?
What! do such beauties light the Western coast?
Do Carroll's grateful band such partners boast?
If so, how great, how glorious they should be,
Each more than man, to merit one like thee!
I ask not whence thy higher virtues come—
Souls have one common Father and one home:
The pure emotions nurtured in thy breast,
By Heaven inspired there flourish unrepress'd;
There duty reigns, more priz'd, more dear than life;
There the firm truth of Sister, Friend and Wife.
Like the full orb that silvers o'er the night,
And borrows radiance from the source of light—
So, Wellesly, thou—reflected in thy face,
Thy virtues beam, and mortal charms efface."

principles and court connections, Mr. Hammond was put up in opposition to him, and on the morning of the election, so great was the majority of votes for Mr. Hammond, that Mr. Stewart thought it prudent to decline.

"The polls being closed, and Messrs. Paca and Hammond declared duly elected, it was proposed, and universally approved of, to go in solemn procession to the gallows, and to bury under it the much detested proclamation. A description of the funeral obsequies may not be disagreeable to the public.

"First were carried two flags, with the following labels: on one, 'Liberty,' on the other, 'No Proclamation.' Between the flags walked the two representatives; a clerk and sexton preceded the coffin, on the left the grave-digger, carrying a spade on his shoulder. The Proclamation was cut out of 'Antilon's' first paper and deposited in the coffin, near which moved slowly on, two drummers with muffled drums, and two fifes, playing the dead march; after them were drawn six pieces of small cannon, followed by a great concourse of citizens and gentlemen from the country, who attended this funeral. In this order they proceeded to the gallows, to which the coffin was for a time suspended, then cut down and buried under a discharge of minute guns. On the coffin was the following inscription: 'The Proclamation, the Child of Folly and Oppression, born the 26th November, 1770, departed this life 14th May, 1773, and buried on the same day by the Freemen of Annapolis. It is wished that all similar attemps against the rights of a free people may meet with equal abhorrence; and that the court party, convinced by experience of the impotency of their interest, may never hereafter disturb the peace of the city, by their vain and feeble exertions to bear down the free and independent citizens.'"

The proceedings in Baltimore were as follows, as communicated to the *Gazette:*

"On the last day of our election, when the polls were closed, and Messrs. Ridgely, Deye, Hall and Tolley were declared duly elected, a peal of applause, in three loud huzzas, burst from the multitude. Immediately from the crowd there issued a voice, as it were the voice of one raised from the dead, which squeaked '*no proclamation—hang—burn and bury the proclamation.*' A general murmur arose, which was very properly construed an approbation of the proposal. As the new chosen delegates had just received the most obliging letters of advice and information by express from the great *Annapolitan leaders;* and that so arduous a business might be conducted as similar to the grand original as it is permitted to humble imitators to approach; it was agreed, that the ceremony should be conducted, according to *the directions* in the aforesaid letter contained. Accordingly a speech, arraigning the proclamation, was pronounced by the orator of the day; it was resolved to be arbitrary and illegal, and it was adjudged to be hanged at the usual place of execution. About 4 o'clock P.M., the procession, '*with solemn pace and step profound,*' began to move through the streets towards the gallows, accompanied with all the regalia of military interment (the firing of minute guns excepted), that is to say, colors properly labelled flying, drums beating, and fifes and fiddles playing. When the procession had arrived at the gallows, one of those unlucky accidents, which sometimes disconcert the best laid plans, had like to have spoiled all. In the hurry of preparation, *they had forgot to bring the criminal along with them,* or he had made his escape in the bustle. A hue and cry was raised, messengers were instantly dispatched in search of him, and a reward *with the thanks of the representatives* were offered for apprehending him; but in vain. It was then suspected that perhaps he might be concealed in the houses of some of the disaffected, a general search was therefore made; but, all to no purpose. In this perplexing situation, it was observed by the sagacious, that perhaps the offender might have audaciously crept into the proceedings of the late lower house. Upon examination this was found to be really the case, and the traitor was discovered

where he had hid himself as the place of greatest safety, near *the famous resolves themselves.* He was instantly torn with indignation from his hiding-place, and dragged away to immediate execution. To do him justice, he submitted to his fate, with the utmost firmness of mind, and with a countenance which seemed to laugh to scorn the malice of his enemies, and the utmost efforts of his tormentors. After he had hung the usual time he was cut down, and, in humble imitation of the patriotic men of Frederick, he was laid with his face turned downwards, in token of his immediate descent into hell, from whence he originated, and as a means of his never rising again into judgment, he was then put into a coffin for that purpose provided, and '*laid low in his narrow house,*' amidst the approving yells of the spectators of all kinds, and of every complexion and occupation. But, a phænomenon ominous indeed, and truly distressing to every genuine patriot who attended the execution, now presented itself to their astonished view. As the malefactor descended to the place '*where the weary are at rest,*' something was observed to adhere close to his back, still showing signs of life, and seeming to pursue and persecute him in his grave. It could not at first be conceived what being was capable of carrying its virulence such lengths, till a deep groan ascended from the pit, and a voice was heard to say, with lamentations—'*Do not, we beseech you, bury us alive; we are your friends—the resolves* of the Lower House.' It was then discovered, but alas too late, that the resolves had stood on the other side of the page from whence the proclamation was torn, and by the most unfortunate circumstance, were now irrecoverably involved in the same undistinguished ruin. Their cries grew fainter and fainter, till they were heard no more; and they now sleep (peace be to their ashes) undisturbed and undisturbing.

"When this transaction, so illustrious in the eyes of Maryland, was finished, the same *motley group* which attended the execution, requested the new chosen delegates '*to testify their thanks to* THE FIRST CITIZEN, for his spirited, eloquent and patriotic opposition to the proclamation while alive.'"

The following is a copy of the testimony of thanks referred to:

"To the First Citizen:

"Sir—The honorable service in which you have been employed, the eloquence and animating spirit with which you have performed it, claim our highest approbation. A generous and free people seldom fail to be impressed with gratitude for the advocates of their liberty; and we rejoice in thus publicly testifying at the request of the free-holders of Baltimore County, (who have lately honored us with the public character of being their representatives,) our thanks to you, by acknowledging the great esteem in which both they and we hold your judicious and manly opposition to the proclamation, which we are convinced, if established, would, by its pernicious tendency, involve in ruin the most sacred rights of a free people. Alarmed at its consequences, we agree with you, that *it cannot—must not—be endured.* We are, Sir, most respectfully your very humble servants,

"CHARLES RIDGELY,
"THOMAS COCKEY DEYE,
"AQUILA HALL,
"WALTER TOLLY, JR."

Similar proceedings took place in every part of the province. At public meetings at Annapolis, and in Frederick and Anne Arundel Counties, the thanks of the people were ordered to be formally presented by their delegates to the "First Citizen." The *Gazette* of May and June, 1773, published the action of the delegates, and Mr. Carroll's reply as follows:

"To the First Citizen: "*May 25th, 1773.*

"Sir—The freeman of Frederick County (to so few of whom you are personally known), are generally acquainted with your merit. The service you have done your country in plainly and clearly stating, and evincing the illegality of the late proclamation for officers' fees appears to them justly to claim their thanks; they have therefore directed us, their representatives, to make known their sentiments to you; and we, with pleasure, take this early opportunity of returning you the thanks of the freemen of Frederick County for your spirited, manly and able opposition to that illegal, arbitrary, and unconstitutional measure.

We are, Sir, with the greatest respect, your most obedient servants,

"THOMAS SPRIGG WOOTTON,
"CHARLES BEATTY,
"JONATHAN HAGAR,
"HENRY GRIFFITH."

"*Anne Arundel County, May 26th, 1773.*

"To the First Citizen:

"Sir—The freemen of Anne Arundel County, on the day of our election, gave us in charge to return you their thanks, for your nervous and masterly defence of the constitution, against the late illegal, arbitrary and oppressive proclamation; an exertion of prerogative which in a land of freedom will not, must not, be endured. Be assured, sir, it gives us the sincerest joy to see your merit so generally understood and so frankly acknowledged, by men who must be confessed to have nothing in view but the general good; and we gladly execute the commands of our constituents, in thus publicly returning you their thanks, for your spirited and distinguished opposition to the proclamation.

We are, Sir, with great respect, your most obedient servants,

"BRICE T. B. WORTHINGTON,
"THOMAS JOHNSON, JR.,
"SAMUEL CHASE,
"JOHN HALL."

"To the First Citizen:

"Sir—Your manly and spirited opposition to the arbitrary attempts of government to establish the fees of office by *proclamation*, justly entitles you to the exalted character of a distinguished advocate for the rights of your country. The *proclamation* needed only to be thoroughly understood, to be generally detested, and you have had the happiness to please—to instruct—to convince your countrymen. It is the *public voice*, Sir, that the establishment of fees, by the *sole authority* of prerogative, is an act of *usurpation*, an act of *tyranny*, which in a land of *freedom*, cannot—must not—be endured.

"The *free* and *independent* citizens of *Annapolis*, the metropolis of *Maryland*, who have lately honored us with the public character of *representatives*, impressed with a just sense of the signal service which you have done your country, instructed us on the day of our election to return you their hearty thanks. Public gratitude, Sir, for public services, is the *patriot's* due, and we are proud to observe the generous feelings of our fellow citizens towards an advocate for liberty.

"With pleasure we comply with the instructions of our constituents, and in their name we publickly thank you for the spirited exertion of your abilities.

"We are, Sir, most respectfully, your very humble servants,

"WILLIAM PACA,
"MATTHIAS HAMMOND.

"*Annapolis, May 17th, 1773.*"

In reply to the address of the representatives of Annapolis, "The First Citizen" said:

"To William Paca and Matthias Hammond, Esquires:

"Next to the satisfaction flowing from a consciousness of having merited well of one's fellow citizens, that of meeting with their applause may be justly ranked. The distinguishing token which the free and independent citizens of Annapolis have lately given me of their regard, claims my most grateful acknowledgments. Strong indeed must set the tide of liberty, when even the feeble efforts of an individual in its cause, are honored with an approbation the best, the greatest men are ever '*most ambitious to deserve, and the highest they can receive.*' How superior is the praise of freemen, to the mercenary and interested commendations of a minister—even of a monarch, when bestowed to countenance and support oppression and injustice! Let me intreat you, gentlemen, to present my most hearty and sincere thanks to your constituents, for the public, and truly honorable approbation they have been pleased to express of my endeavors to warn them against the perfidious attempts of a wicked counsellor, grown daring and confident from a long and unchecked abuse of power.

"The sentiments favorable to liberty, which you have disclosed on this and former occasions, evince that the citizens, in honoring you with the public character of representatives, have made a choice that does equal credit to their spirit and discernment. I am, with due respect, Gentlemen, your most obliged and very humble servant,

"THE FIRST CITIZEN."

During this public discussion, there were not wanting bigoted persons in the province, who, unable to answer Mr. Carroll's bold and flaming advocacy of popular rights and constitutional law, took pleasure in taunting the author with insults to his religion. The name of Papist, Jesuit, and many other epithets, intended as insults, were cast upon him, and one went so far as to throw it up to him, "that he was a disfranchised man and could not even vote at an election."

In reply to one of Mr. Dulany's inflaming appeals upon this subject, Mr. Carroll, in the *Gazette* of July 1st, 1773, says:

"I am as averse to having a religion crammed down people's throats, as a proclamation. These are my political principles, in which I glory; principles not hastily taken up to serve a turn, but what I have always avowed since I became capable of reflection. I bear not the least dislike to the Church of England, though I am not within her pale, nor indeed to any other church; knaves and bigots, of all sects and denominations, I hate and I despise.

'For modes of faith let zealous bigots fight,
His can't be wrong, whose life is in the right.' [POPE.]

Papists are distrusted by the laws, and laid under disabilities. They cannot, I know, (ignorant as I am), enjoy any place of profit or trust while they continue Papists; but do these disabilities extend so far as to preclude them from thinking and writing on matters merely of a political nature? Antilon would make a most excellent inquisitor, he has given some striking specimens of an arbitrary temper; the first requisite—He will not allow me freedom of thought or speech. . . . To what purpose was this threat thrown out, of enforcing the penal statutes by proclamation? Why am I told that my conduct is very inconsistent with the situation of one, who 'owes even the *toleration* he enjoys to the favor of government?' If, by instilling prejudices into the governor, and by every means and wicked artifice you can rouse the popular sentiment against certain religionists, and thus bring on a persecution of them, it will then be known whether the toleration I enjoy

be due to the favor of government or not. That you have talents admirably well adapted to the works of darkness, malice to attempt the blackest, and meanness to stoop to the basest, is too true. A particular detail of all your mean and dirty tricks would swell this paper (already too long) to the size of a volume. I may on some future occasion entertain the public with Antilon's cheats."

To this letter Antilon never replied.[1]

The character of Carroll, as a champion upon whom his country might rely in any crisis, was now firmly established. Whenever the invasions of Great Britain were to be resisted and her power to be encountered, he was ever prepared and ever foremost. While others were endeavoring, by the miserable policy of palliation, to temporize for the present at the expense of the future, he had already girded himself for the struggle, which he knew to be inevitable. The words of First Citizen had gone forth, "the arbitrary exertion of prerogative *will* not, *must* not, be endured;" they were as bread cast upon the waters, returning after many days.

In a conversation with Samuel Chase, some years before the Declaration of Independence, the latter expressed his satisfaction at the complete overthrow and silencing of their opponents. "And do you think," inquired Carroll, "that our *pens* are to settle this mighty question! The *bayonet must* be the arbiter. The people *know* their rights—knowledge is resistance—and our only umpire is the God of battles!"

Frederick, the sixth and last Lord Baltimore, having died at Naples, Italy, on the 14th of September, 1771, without legitimate children, the title of Baron of Baltimore became extinct, and Louisa Browning became entitled to the proprietaryship of the then Province of Maryland, under the will of her father, Charles, the Fifth Lord Baltimore. Mr. Charles Browning, in his appeal to the citizens of Maryland for relief, dated Annapolis, July 29th, 1821, says:

[1] In the letter of "The First Citizen" to Antilon, dated July 1, 1773, Mr. Carroll says: "What should excite my envy? The splendor of your family, your riches or your talents? I envy you none of these; even your talents upon which you value yourself most, and for which only you are valued by others, are so tarnished by your meannesses, that they always suggest to my mind the idea of a jewel buried in a dung-hill."

Many years afterwards, Mr. Carroll addressed the following letter to the Rev. John Standford, chaplain of the humane and criminal institutions in the city of New York:

"DOUGHOREGAN, October 9, 1827.

"*Reverend & Dear Sir*—I was yesterday favored with your friendly letter of the 10th past, and the discourses on the opening of the House of Refuge and on the death of Jefferson and Adams. The former I have not yet read. With the latter I am highly pleased, and I sincerely thank you for your pious wishes for my happiness in the life to come. Your sentiments on religious liberty coincide entirely with mine. To obtain religious, as well as civil liberty, I entered zealously into the Revolution, and observing the Christian religion divided into many sects, I founded the hope that no one would be so predominant as to become the religion of the State. That hope was thus early entertained, because all of them joined in the same cause, with few exceptions of individuals. God grant that this religious liberty may be preserved in these States to the end of time, and that all believing in the religion of Christ may practise the leading principle of charity, the basis of every virtue. I remain, with great respect, Reverend Sir, your most humble servant,

"CHARLES CARROLL OF CARROLLTON,
"In the 91st year of his age."

"Cæcilius Lord Baltimore was particularly attentive to the selection of those whom he first engaged with, and who came over with his brother, that they should be sober, virtuous men, his Lordship not looking so much for present profit as reasonable expectation, wishing to have but few governors, and those not interested merchants, but disinterested gentlemen, grant-

"Frederick, Lord Baltimore, on his marriage with Lady Diana Egerton, the 9th of March, 1753, made his marriage settlement subjected expressly to the trust for Lady Baltimore's jointure, and finding he had no way of barring the entail, made an application to the British Parliament for that purpose, but failed; and Lady Diana shortly after died from a hurt she received by a fall out of a phæton, when out with his Lordship an airing; after her decease, his Lordship being bent upon cutting off the entail, on the 2d of January, 1761, executed deeds of conveyance for that purpose; however, this not appearing to satisfy either the minds of his lawyers or himself, in 1767, his Lordship suffered a common recovery in the provincial court of this province. If the last could effect there was an end to his conveyance of 1761, but being conscious that neither the one or the other had any effect against the devise of his father, Charles, Lord Baltimore, who, by his last will and testament proved in the prerogative court of Canterbury, the 12th of March, 1772, first devises his province or territory of Maryland, in America, to Robert Eden, Hugh Hammersley, Esqrs., Robert Morris, Barrister, of Lincoln's Inn, and Peter Provost, Esq., his executors, to raise the sum of £20,000, and then he goes on to say, 'and I do hereby give and devise, and limit my said province of Maryland, and all other premises thereunto belonging, last mentioned, unto the use of a certain youth called or known by the name of Henry Harford, the son of Hester Wheland, of the kingdom of Ireland, born in Bond street, and now of the age of nine years or more, and to the heirs male of his body lawfully to be begotten; and, in default of such issue, to the heirs male lawfully begotten on the body of a certain female called Frances Mary Harford, daughter of the said Hester Wheland, and born in Bond street aforesaid, and now of the age of eight years or more, and to the heirs of the said Frances Mary Harford; and if there should be failure of the issue of the said Frances Mary Harford, then to the use of the Honorable Mrs. Eden, my youngest sister, and to her and her heirs, and assigns for ever. And as touching the said principal sum of twenty thousand pounds, which I have directed to be raised out of my said province, and other the premises, and to be received by my executors, I do hereby give and bequeath the sum of ten thousand pounds, part thereof to my elder sister Louisa Browning, and to her husband, and the sum of ten thousand pounds, other part thereof to my younger sister the Honorable Caroline Eden, and her husband, to be paid to them respectively within *six months* after my decease, with interest of five per cent. till paid.'"

These bequests were made on condition that the persons above named would give their acquiescence to the will. Mr. Browning continues:

ing liberties with great caution, and leaving everyone to provide for himself by his own industry, and not out of a common stock. It is to be observed that none of the governors (except the Lord Proprietary's sons or brothers), ever obtained any grant of land from the proprietary. It was also his Lordship's desire that his agents should purchase the natives' interest in any lands, rather than take from them by force what they considered their right, and it appears the same conduct was strictly adhered to by their Lordships as they became proprietors in succession; a case of this nature occurred a very few years prior to the Revolution, and which was related to me by Charles Carroll, of Carrollton, Esq., whose ancestors having obtained from Charles, Lord Baltimore (father of the honorable Mrs. Browning), a grant of 10,000 acres of land in Frederick county, with liberty to select the best land they could find; they first fixed on a spot beyond Frederick town, but finding the land better on this side of Frederick, changed to the spot which the present Mr. Carroll now possesses, on Monocacy river (Doughoregan manor), who went there and entered into a treaty with the Indians, and purchased their pretended right for £200, and for which he paid them in different merchandise, such as suited them. The grant of this land first appears to have been made on the 10th of April, 1723, to the Carroll family, some of whom dying, there were different assignments from time to time, up to 1734; but I understand the land was not taken up till just before the Revolution, by the present Charles Carroll, of Carrollton, Esq., for his father; and the only money that appears to have been given for this land was a rent of £20 per annum, which the present Mr. Carroll got rid of by the Act for the abolition of quit-rents, 1780."—Charles Browning's *Chief Explanation*, etc., p. 88: Baltimore, 1821.

"As soon as John Browning was apprised of the decease of Frederick, Lord Baltimore, and the contents of his will, he gave instructions to his solicitor, William Middleton, Esq., of Fanier's Building, Inner Temple, London, to draw a case and lay it before some of the most eminent men of that day at the Chancery bar, who gave it as their decided opinion, that the Honorable Mrs. Browning became legally entitled, on the death of Frederick, Lord Baltimore, without issue, to the province, with all its rights, titles, interest, and emoluments, and recommended the filing of a bill in chancery. A suit was accordingly instituted against the executors of Frederick, Lord Baltimore, who being aware of what was about to take place, had, in the interim, sent over to Maryland, to the then governor, Robert Eden, Esq. (who was also one of the executors), an attested copy of Frederick, Lord Baltimore's will, with instructions for him to get the same entered in the Register of Wills' Office, and to have Henry Harford, Esq., acknowledged as proprietary of the province of Maryland, by the Assembly, to have all grants made under his name and seal, as well as appointments to office, &c., &c. You will observe, Mr. Eden was at this time acting in a double capacity, he was Governor under the proprietary, to whom he was also trustee, whilst under age, and for which he was to receive £100 per annum; Frederick, Lord Baltimore, had also left the Honorable Mrs. Eden a legacy of £10,000, with the reversion in fee of the province, provided, that Henry and Frances Mary Harford died without issue; now the bequest of £10,000 to the Honorable Mrs. Eden, whose husband was Governor and executor, with the reversion in fee of the province to herself, was a much greater legacy in proportion than the sum of £10,000 was to the Honorable Mrs. Browning, to relinquish her rights, as her father, Charles, Lord Baltimore, had left her the reversion in fee on the death of her brother Frederick, of the province, paying her sister, the Honorable Mrs. Caroline Eden, £20,000, (except Robert Eden, Esq.) Frederick, Lord Baltimore's executors, appear to have been curious people. Mr. Hammersley I did not know, but understood from my father he was a man that had but little business, and that not very respectable, and was a shrewd, keen fellow, possessing a good deal of low cunning; he was quite prime minister in the whole business, which he never failed to make use of when the occasion required it, and finding things were not likely to turn out so favorable as they wished, he desired Governor Eden to get the acknowledgement of Henry Harford confirmed as absolute lord and proprietary of the province, by the Assembly of Maryland as soon as possible, and to induce him to consider it would be as much for his interest as that of either Henry Harford, or his sister, proposed that two new counties should be laid out in the province, one to be called Harford, the other Caroline, Mrs. Eden's christian name, so that there was no sort of trick or manœuvre that could be practised that was not resorted to by Frederick, Lord Baltimore, and his agents, to deprive his sister and her son of their inheritance, and you will observe that all this was effected, Mr. Harford's name was made use of for only one year, and had not the then province been much agitated, by a difference that existed between America and England, concerning the latter wishing to impose taxes on the former inimical to the interest of the country, I have not the least doubt but upon reading Frederick, Lord Baltimore's will, they would not have been in a hurry to have acknowledged Henry Harford as proprietary of the province of Maryland, whose title must have appeared very doubtful, and such a one as they must have been convinced would undergo an investigation in a court of equity. During this time proceedings were going on in the court of chancery of England against the executors, and which was in part argued before the Lord Chancellor, but between that time and the time appointed by his Lordship for a second hearing, news had arrived in England that the United States of America had declared themselves independent of Great Britain, which the Lord Chancellor stated to the council on the day appointed for the further hearing of the cause, and objected to hear it, alleging it was only a waste of time, as let it belong to which it would, he had no power to give the rightful owner possession."

Upon the death of Frederick Lord Baltimore, his illegitimate son, Henry Harford, instead of repairing to Maryland to take possession of the province under Frederick's will, confident "in the powers and success of his native country, remained in England, attending on the Court of Chancery, and waiting the adjudication of suits which were to determine the right to the Province of Maryland and its dependencies, between the memorialist (Henry Harford) and the heirs at law of the late Lord Baltimore, and which adjudication could have no effect, unless America should be conquered by the British Government."[1]

The first assembly held under the proprietaryship of Henry Harford, began on the 15th of June, 1773, and on the 2d of July following, the Lower House adopted the following resolutions:

"*Resolved, unanimously*, That the representatives of the freemen of this province, have the sole right, with the assent of the other part of the legislature, to impose and establish *taxes* or *fees*, and that the imposing, establishing, or collecting any *taxes* or *fees* on or from the inhabitants of this province, under color or pretence of any proclamation issued by, or in the name of the Lord Proprietary, or other authority, is *arbitrary, unconstitutional*, and *oppressive*.

"*Resolved, unanimously*, That in all cases where no fees are established by law for services done by officers, the power of ascertaining the quantum of the reward for such services, is constitutionally in a jury upon the action of the party.

"*Resolved, unanimously*, That the proclamation issued in the name of his Excellency Robert Eden, the Governor, with the advice of his Lordship's council of State, on the 26th day of November, 1770, was illegal, arbitrary, unconstitutional and oppressive.

"*Resolved, unanimously*, That the paper writing under the great seal of this province, issued in the name of the late Lord Proprietary, on the 24th day of November, 1770, for the ascertaining the fees and perquisites to be received by the registers of the land office, was *illegal, arbitrary, unconstitutional* and *oppressive*.

"*Resolved, unanimously*, That the *advisers* of the said proclamation were enemies to the peace, welfare, and happiness of this province, and the laws and conditions thereof."

[1] Answer of the Senate of Maryland to a message of the House of Delegates, 19th December, 1785. Frederick, Lord Baltimore in his will bequeathed £1,500 each to Peter Prevost, Esq., and Robert Morris, and also an annuity of £100 to each for their lives. Peter Prevost married Mrs. Hester Wheland *alias* Harford, the mother of Henry Harford and Mary Frances Harford; and Robert Morris married Frances Mary Wheland *alias* Harford, (the illegitimate daughter of Frederick Lord Baltimore), who was at the time only thirteen years of age.

CHAPTER XX.

THE non-importation policy of the colonists had been so generally adopted and so faithfully observed, that very little tea (upon which article alone the duty had been retained,) was imported into the country. One of the great markets of the East India Company being thus closed, a heavy stock of tea accumulated in their warehouses. To relieve them of this, while at the same time maintaining the principle of taxation, seemed to the government a master-stroke of policy; and it was proposed to accomplish this by allowing the company, on tea exported to America, a drawback of the duties paid in England. As this would enable them to sell tea in America, even with the small colonial tariff imposed, cheaper than it could be sold in England, it was not imagined that the colonists would object to this arrangement. Unfortunately for them, the British Government thought—as wiser men than they have done since—that supply and demand—shillings and pence—were the only factors in politico-economical problems; and they were probably as much surprised as chagrined when they discovered their error.

For some months after the concession of this privilege, little was known of the intentions of the company. By some of its members this measure was regarded rather as a scheme for raising revenue than a device to help them out of their difficulties. In August, however, licenses were obtained from the treasury, and several cargoes of tea were despatched to the ports of Boston, Charleston, New York and Philadelphia.

As soon as it was announced in America that the Tea Act was to be carried into effect, it was generally denounced as a scheme to establish the right of parliament to tax the colonies and to give the East India Company the monopoly of their trade. As it bore on all the colonies, it diverted attention from the local issues which had been agitating them during the past three years, to the original question of taxation, and the determination of the Americans was not to pay a tax levied by a body in which they were not represented; and of Maryland in particular to hold fast to the exemption from British taxation guaranteed by her charter.

The scheme roused more indignation than had been created by the Stamp Act. The General Assembly, which adjourned on July 3d, 1773, again assembled in October, and the Lower House immediately took into consideration, the several letters and other communications which had been addressed to it by the Speakers of the Assemblies of Virginia, Massachusetts, Connecticut and Rhode Island. On the 15th, they unanimously resolved, "most

cordially" to accept the invitation to a mutual correspondence with the sister colonies, and appointed the following standing committee of correspondence and enquiry: Matthew Tilghman, John Hall, Thomas Johnson, William Paca, Samuel Chase, Edward Lloyd, Matthias Hammond, Josiah Beale, James Lloyd Chamberlaine, Brice Thomas Beale Worthington, and Joseph Sim. This committee was authorized "to obtain the most early and authentic intelligence of all such Acts and Resolutions of the British Parliament or proceedings of administrations, as may relate to, or effect the British Colonies in America, and keep up and maintain a correspondence with our sister colonies respecting these important considerations and the result of such of their proceedings from time to time to lay before this House." On the 29th, the governor, "for many important reasons," prorogued the assembly to the 16th of November following, when it again assembled and was prorogued on the 23d of December.

The legislative committees chosen under the impulse of these acts of British oppression had not as yet exchanged views, much less held a conference in relation to a general plan to baffle the attempt to establish the tea duty. But in all the colonies to which the teas were consigned, strong opinions were expressed that the teas would not be allowed to be sold, even if their landing was permitted. On the 28th of November, 1773, a vessel containing the tea arrived in the harbor of Boston, and in a few days was followed by two others. On December 16, a party disguised as Indians, went on board the vessels, and, warning their officers and those of the custom-house to keep out of the way, opened the hatches, hoisted the chests of tea on deck, cut them open, and hove the tea overboard.[1]

The vessels intended for Philadelphia and New York were obliged to return to England with their cargoes. In Charleston the tea was landed after much opposition, and stored in a damp cellar, where it rotted.

Intelligence of these transactions soon reached England and created much excitement among all classes. The matter was laid before parliament in a message from the king. Parliament was indignant at the violent and outrageous proceedings, and determined to punish the refractory town of Boston.[2]

Accordingly, on the 14th of March, 1774, a bill called the "Boston Port Bill" was introduced into the House of Commons, interdicting all commer-

[1] One of the participants of this exploit, Mr. Joshua Wyeth, says: "Young men not much known in town, and not liable to be easily recognized, were to 'lead in the business,' and the most of whom lived with Tory masters. He also says that, after the deed was done, 'the Tories, civil, military and spies, made a great fuss, and called the business divers hard names. Proclamations and rewards to procure detection were all to no purpose. We pretended to be as zealous to find out the perpetrators, as the rest. We often talked with the Tories about it. We were all so close and loyal, that the whole affair remained in Egyptian darkness."—Flint's *Western Monthly Review*, July, 1827.

[2] On the 25th of March, 1774, Governor Johnstone, in the House of Commons, in the debate upon the "Boston Port Bill," said: "It is vain to say Boston is more culpable than the other colonies. Sending the ships from thence, and obliging them to return to England, is a more solemn and deliberate act of resistance than the outrage committed by persons in disguise in the night when the ship refused to depart." *American Archives*, 4th series, vol. i., pp. 54-154.

cial intercourse with Boston, and after the 1st of June following, prohibiting the landing or shipping of any goods, wares or merchandise whatsoever at that port. The bill passed both Houses with slight opposition, and on the 31st of March, received the assent of the king. A bill "for the better regulating the government of the Province of Massachusetts Bay" then succeeded. By this Act, which received the sanction of the king on the 20th of May, the people of Massachusetts were, without a hearing, deprived of some of the most important rights and privileges secured to them by their charter. After the 1st of July, the governor was authorized to appoint and remove, without the consent of the counsel, all judges of the courts, attorney-general, provosts, marshals, justices of the peace, and other officers; and to appoint sheriffs without the consent of the council, but not to remove them without such consent. The right of selecting jurors was taken from the people and placed in the power of the sheriffs. It also totally repealed the laws permitting town meetings after the 1st of August without the permission of the governor.

An Act was also passed "for the impartial administration of justice," which ordained that any person indicted for capital offences committed in aiding the magistrates in the execution of the laws, might be sent by the governor to any other colony, or to England, if necessary, for trial. This was followed by an Act which authorized the quartering of soldiers in the houses of the citizens; and lastly, by the "Quebec Bill," which granted to Roman Catholics in Canada greater privileges, established a legislative council invested with arbitrary power, and extended the limits of the province so as to comprehend the territory between the lakes, the Ohio and Mississippi; and thus by increasing the dominions, securing the fidelity and subordination of this colony, they procured a place of debarkation for troops and munitions of war, and augmented the influence and facilities of the royal party in America.

To carry these plans into effect, General Gage was appointed Governor of Massachusetts, and he arrived there about the middle of May and took charge of the government of that colony.

On the arrival of the news of the passage of these measures, the colonists in general made common cause with the people of Massachusetts, and in various ways expressed their sympathies for the inhabitants of Boston. We cannot better describe the feeling in Maryland than in the language of a contemporary, an officer of the English government.

Mr. Eddis, in a letter from Maryland, dated May 28th, 1774, says:

"All America is in a flame: I hear strange language every day. The colonists are ripe for any measure that will tend to the preservation of what they call their natural liberty. I enclose you the resolves of our citizens; they have caught the general contagion. Expresses are flying from province to province. It is the *universal* opinion *here*, that the mother-country cannot support a contention with these settlements, if they abide steady to the letter and spirit of their association."

In another letter, written October 26th, he remarks:

"The Canada Bill is as unpopular here as the Boston Port-bill, and adds greatly to the universal discontent. The provinces are unanimous in the cause of their northern brethren, and contribute largely in supplying their necessities. The spirit of opposition to ministerial measures, appears to blaze steadily and equally in every part of British America, and unless some speedy alteration takes place in the political system, the consequences must inevitably be dreadful. . . The colonies are daily gaining incredible strength. They *know*, they *feel*, their importance; and *persuasion*, not *force*, must retain them in obedience."

In every quarter of America the people were now making preparations for the work in store for them, by extending their organizations and interchanging sentiments. In Maryland, committees of correspondence were appointed by the free-holders, in the various parishes, towns and counties of the province. The method generally suggested for the redress of their grievances, was the old one of commercial non-intercourse. There was a stern determination to have it efficient.

In consequence of the discovery of a small lot of dutiable tea which had been imported in the brigantine *Geddes*, at Chestertown, Kent County, for some of the neighboring counties, the inhabitants assembled in town meeting on the 13th of May, and, "to baffle the designs of a corrupt and despotic ministry," who desired "to enslave them," passed, among others, the following resolutions:

"*Resolved*, That whoever shall import, or in any way aid or assist in importing, or introducing from any part of Great Britain, or any other place whatsoever, into this town or county, any tea, subject to the payment of a duty imposed by the aforesaid Act of Parliament. Or, whoever shall wilfully and knowingly sell, buy or consume, or in any way assist in the sale, purchase or consumption of any tea imported as aforesaid subject to a duty, he, or they shall be stigmatized as enemies to the liberties of America.

"*Resolved*, That we will not only steadily adhere to the foregoing resolves, but will endeavor to excite our worthy neighbors to a like patriotic conduct, and whoever amongst us shall refuse his concurrence, or after complying, shall desert the cause, and knowingly deviate from the true spirit and meaning of these our resolutions, we will mark him out as inimical to the liberties of America, an unworthy member of the community, and a person not deserving our notice or regard."

Encouraged by the general sympathy, the people of Boston assembled in town meeting at Fanueil Hall, on the 13th of May, 1774, and declared "that if the other colonies would come into a joint resolution to stop all importations from Great Britain, and every part of the West Indies, till the Act blockading up the harbor be repealed, the same will prove the salvation of North America and her liberties." This resolution, with the Act of Parliament shutting up the port of Boston, was transmitted to the people of Baltimore by Mr. Samuel Adams, accompanied by a letter in which he said:[1]

"The people receive this edict with indignation. It is expected by their enemies, and feared by some of their friends, that this town singly will not be able to support the cause

[1] In a postscript, he adds: "As this town has not the pleasure of a political correspondence with any gentleman in Maryland, I beg the favor of Mr. William Lux, of Baltimore, to permit me to address this letter to him, to be communicated as his wisdom shall dictate."

under so severe a trial. As the very being of every colony, considered as a free people, depends upon the event, a thought so dishonorable to our brethren cannot be entertained, as that this town will now be left to struggle alone."

These communications which had been forwarded by the people of Philadelphia, arrived in Baltimore on the 23d of May. Immediately on their reception a meeting was called at the court-house on the 25th, which assembled, and after some deliberation the following gentlemen were appointed a committee of correspondence: Robert Alexander, Robert Christie, Sr., Isaac Van Bibber, Thomas Harrison, John Boyd, Samuel Purviance, Jr., Andrew Buchanan, William Buchanan, John Moale, William Smith, William Lux, John Smith.

In consequence of the great importance of the subject, the committee of correspondence on the same day forwarded the communications which they had received from Boston, to the people of Annapolis and other parts of Maryland, Alexandria, Norfolk and Portsmouth, accompanied with a letter from them in which they said:

"We hope and expect that the gentlemen of your province who distinguished themselves as the foremost in asserting the cause of American liberty, and opposing the scheme of parliamentary taxation, will now exert themselves with spirit and boldness in the cause of Boston, now violently attacked for defending the common cause of America; and we doubt not, that the gentlemen of your town in particular, will heartily concur in whatever measures may best serve the general good."

In accordance with the circular letter sent by the Baltimore committee, a meeting of the inhabitants of Annapolis was held on the 25th of May, and the following resolutions adopted:

"*Resolved*, That it is the unanimous opinion of this meeting, that the town of Boston is now suffering in the common cause of America, and that it is incumbent on every colony in America, to unite in effectual means to obtain a repeal of the late act of parliament for blocking up the harbor of Boston. That it is the opinion of this meeting, that if the colonies come into a joint resolution to stop all importations from, and exportations to Great Britain, till the said act be repealed, the same will preserve North America and her liberties.

"*Resolved therefore*, That the inhabitants of this city will join in an association with the several counties of this province, and the principal colonies of America, to put an immediate stop to all exports to Great Britain, and that after a short day hereafter to be agreed on, that there be no imports from Great Britain till the said act be repealed, and that such association be on oath.

"That it is the opinion of this meeting, that the gentlemen of the law of this province bring no suit for the recovery of any debt due from any inhabitant of this province to any inhabitant of Great Britain, until the said act be repealed.

"That the inhabitants of this city will, and it is the opinion of this meeting, that this province ought immediately break off all trade and dealings with that colony or province which shall refuse or decline to come unto similar resolutions with a majority of the colonies.

"That Messrs. John Hall, Charles Carroll, Thomas Johnson, Jr., William Paca, Matthias Hammond and Samuel Chase be a committee for this city, to join with those who shall be appointed for Baltimore Town and other parts of this province, to constitute

one general committee, and that the gentlemen appointed for this city immediately correspond with Baltimore Town, and other parts of this province, to effect such association as will best secure American liberty.

In communicating these resolutions to the Baltimore committee, they addressed them on the 26th of May, the following letter:

"To Messrs. Samuel Purviance, Jr., Wm. Buchanan, Andrew Buchanan, and the other gentlemen who compose the committee of Correspondence in Baltimore town.

"We feel the most sensible pleasure in the receipt of your letter, by the hands of Mr. Alexander. Nothing can be plainer than that the suffering of Boston is in the general cause of America, and that union and mutual confidence is the basis on which our common liberties can only be supported. We enclose you a copy of a letter wrote to Virginia, and of the resolutions passed yesterday in our town meeting. It appears to us that much depends on the determinations of Virginia, which we shall anxiously expect. Unanimity in the Massachusetts, New York, Maryland, Virginia and South Carolina, which may reasonably be expected, bids fair for success. We cheerfully accept your invitation to a free intercourse, and shall most gladly harmonize with you in all possible measures for the general good."

The Baltimore committee of correspondence also received a reply dated 29th of May, from the town of Alexandria, in which they remark—

"That following the good example you had shewn us, we called a meeting of the principal inhabitants of this town, who determined upon the choice of a committee for carrying on such correspondence as we judged necessary for conveying our sentiments to the neighboring towns."

Letters expressing the same sentiments were also received, enclosing resolutions adopted by the people of Norfolk and Portsmouth, the former town deeming the communication from Baltimore of so much importance as to transmit a copy of it to the citizens of Charleston accompanied with a letter, in which they say:

"The occasion is too serious to admit of apologies for this unsolicited communication of our sentiments to you, at this alarming crisis to American freedom; for the time is come, the unhappy era is arrived, when the closest union among ourselves, and the firmest confidence in each other, are our only securities for those rights, which as men, and free men, we derive from nature and the constitution."[1]

The people of Baltimore who met at the court-house on the 25th of May, again assembled on the 31st, and adopted the following patriotic resolutions in favor of forming an association in relation to imports and exports to be agreed upon in general congress, and of cutting off all dealings with the parties who would not come into the plan.

"*Resolved*, That it is the opinion of this meeting, that the town of Boston is now suffering in the common cause of America, and that it is the duty of every colony in America to unite in the most effectual means to obtain a repeal of the late act of parliament for blocking up the harbor of Boston. That it is the opinion of this meeting, that if the colonies come into a joint resolution to stop importations from, and exportations to, Great Britain and the West Indies, until the act of blocking up the harbor of Boston be

[1] R. Purviance, *A Narrative of Events which Occurred in Baltimore Town during the Revolution*, p. 12, etc.

repealed, the same may be the means of preserving North America in her liberties. That therefore the inhabitants of this county will join in an association with the several counties in this province, and the principal colonies in America, to put a stop to exports to Great Britain and the West Indies, after the first day of October next, or such other day as may be agreed on, and to put a stop to the imports from Great Britain after the first day of December next, or such other day as may be agreed upon, until the said act shall be repealed, and that such association shall be upon oath.

"That it is the opinion of this meeting, that as the most effectual means of uniting all parts of this province in such association as proposed, a general congress of deputies from each county be held at Annapolis, at such time as may be agreed upon, and that if agreeable to the sense of our sister colonies, delegates shall be appointed from this province to attend a general congress of delegates from the other colonies at such time and place as shall be agreed on, in order to settle and establish a general plan of conduct for the important purpose aforementioned.

"That the inhabitants of this county will, and it is the opinion of this meeting, that this province ought to break off all trade and dealings with that colony, province, or town, which shall decline or refuse to come into similar resolutions with a majority of the colonies.

"That Capt. Charles Ridgely, Charles Ridgely, son of John, Walter Tolley, jr., Thomas Cockey Deye, William Lux, Robert Alexander, Samuel Purviance, jr., John Moale, Andrew Buchanan, and George Risteau be a committee to attend a general meeting at Annapolis. And that the same gentlemen, together with John Smith, Thomas Harrison, William Buchanan, Benjamin Nicholson, Thomas Sollers, William Smith, James Gittings, Richard Moale, Jonathan Plowman, and William Spear, be a committee of correspondence, to receive and answer all letters, and, on any emergency, to call a general meeting, and that any six of the number have power to act.

"That a copy of the proceedings be transmitted to the several counties of this province, directed to their committee of correspondence, and be also published in the Maryland *Gazette*, to evince to all the world the sense they entertain of the invasion of their constitutional rights and liberties.

"That the chairman be desired to return the thanks of this meeting to the gentlemen of the committee of correspondence from Annapolis, for their polite personal attendance in consequence of an invitation by the committee of correspondence for Baltimore Town.

On the 4th of June the committee of correspondence transmitted these resolutions to the Boston committee, with the following letter:

"*Gentlemen*:—On the 25th ultimo, we received (by express) from Philadelphia, a copy of your letter of the 13th, to the gentlemen of that city, and a copy of their reply thereto, together with the votes of your town meeting, on the truly alarming situation of your affairs, by the late act of Parliament, for blocking up the harbor of Boston.

"Could we remain a moment indifferent to your sufferings, the result of your noble and virtuous struggles in defence of American liberties, we should be unworthy to share in those blessings which (under God) we owe, in a great measure, to your perseverance and zeal in support of our common rights, that they have not, ere now, been wrested from us by the rapacious hand of power.

"Permit us, therefore, as brethren, fellow-citizens and Americans, embarked in one common interest, most affectionately to sympathize with you, now suffering and persecuted in the common cause of our country, and to assure you of our readiness to concur in every reasonable measure that can be devised for obtaining the most effectual and speedy relief to our distressed friends.

"Actuated by these sentiments, we immediately, on receipt of the letters aforesaid, called a meeting of the principal inhabitants, and appinted a committee of twelve persons to correspond with you, the neighboring colonies, and particularly with the towns of this province, to collect the public sense of this important concern.

"We procured a general meeting of the freeholders and gentlemen of this county, the 31st ult., when the enclosed resolutions were agreed on, with a spirit and harmony which we flatter ourselves, prevails very generally through all parts of this province. The resolve of a general congress of deputies, in order to unite the sense of the whole colony on this interesting occasion, will, we have reason to hope, be attended with success.

"Having addressed every county for that purpose, and the gentlemen of Annapolis concurring in the same design, as soon as the result of this congress is determined, we shall make you acquainted therewith.

"In order to inspire the same zeal in others with which we are actuated for your cause, we have transmitted copies of the papers we received, to the gentlemen of Alexandria, Norfolk and Portsmouth, in Virginia, and have taken the liberty of recommending to our friends in Philadelphia the necessity of setting a good example, as their influence would greatly preponderate in your favor. Although the gentlemen of Philadelphia have recommended a general congress for proceeding by petition or remonstrance, we cannot see the least grounds of expecting relief by it. The contempt with which a similar petition was treated in 1765, and many others since that period, convince us that policy or reasons of state, instead of justice and equity, are to prescribe the rule of our future conduct, and that something more sensible than supplications will best serve our purpose. The idea of a general congress, held forth by our resolves, as merely to unite such colonies as will associate in a general system of non-exportation and non-importation, both to be regulated in such degree and manner as most suitable to the circumstances of each colony, and as to enable us (if necessary) to hold out longer without aggrieving one more than another.

"Permit us, as friends, truly anxious for the preservation of your and our common liberties, to recommend firmness and moderation under this severe trial of your patience, trusting that the Supreme Disposer of all events will terminate the same in a happy confirmation of American freedom.

"We are with much sincerity, your truly sympathizing friends,

"SAMUEL PURVIANCE, *Chairman*,
"WILLIAM BUCHANAN,
"*In behalf of the Committee.*"

The committee of Boston, in reply to this communication, under date of the 18th of June, say:

"We last evening received your affectionate letter of the 4th inst., enclosing your noble and spirited resolves. Nothing gives us a more animating confidence of the happy event of our present struggles, for the liberties of America, or affords us greater support under the distresses we now feel, than the assurances we receive from our brethren of their readiness to join with us in any salutary measure for preserving the rights of the colonies, and of their tender sympathy for us under our sufferings. We rejoice to find the respectable county of Baltimore so fully alarmed at the public danger, and so prudent and resolute in their measures, to secure the blessings of freedom to their country."[1]

[1] The honor of first suggesting a general congress of delegates from all the colonies, is generally conceded to Virginia, but upon an examination of the facts it will be seen that Baltimore is equally entitled to the claim. On the 27th of May, the members of the Virginia House of Burgesses met, by agreement, at Williamsburg, and adopted a resolution recommending their committee of correspondence to communicate with the several corresponding committees in the other colonies, upon the "expediency of appointing deputies from the

In the meantime the other counties in the province voted similar resolutions and adopted the recommendation and the pledge. Both were reiterated in other colonies in the votes of towns, counties, and provincial conventions. The foremost Revolutionary names are connected with these proceedings.

No county was earlier or more decided in its action than Talbot. On the 24th of May, the inhabitants of that county "impressed with the most tender feelings for the distresses of their brethren and fellow subjects in Boston" assembled at the county court-house, and "took into serious consideration the part they ought to act, as friends to liberty and to the general interests of mankind;" and notwithstanding they were "impressed with the warmest zeal for, and loyalty to their most gracious sovereign, and with the most sincere affection for their fellow subjects in Great Britain," they "determined, calmly and steadily, to unite with their fellow subjects, in pursuing every legal and constitutional measure to avert the evils threatened by the late Act of Parliament for shutting up the port and harbor of Boston; to support the common rights of America, and to that promote the union and harmony between the mother-country and her colonies, on which the preservation of both must finally depend."

The magistrates and a number of the most respectable inhabitants of Queene Anne's County, "deeply considering and deeply affected with the prospect of the unhappy situation of Great Britain and British America, under any kind of disunion" thought themselves obliged "to make known their sentiments to their distressed brethren of Boston" and therefore published "to the world" on the 30th of May:—

"That they look upon the cause of Boston in its consequences to be the common cause of America.

"That the act of parliament for blocking up the port and harbor of Boston, appears to them a cruel and oppressive invasion of their natural rights as men, and constitutional rights as English subjects, and if not repealed, will be a foundation for the utter destruction of American freedom.

several colonies of British America, to meet in general congress, at such place, annually, as shall be thought most convenient, there to deliberate on those general measures which the united interests of America may, from time to time, require." Although this resolution was adopted on the 27th of May, the letter communicating it to the other colonies was not dated until the 31st; and on that day, the people of Baltimore, at their deferred meeting, adopted a similar resolution, and in announcing it to the other colonies in their letter of the 4th of June, speak as if they were the originators of this movement. A copy of these resolutions was also transmitted to the committee of Annapolis, who, in their letter fowarding them to the committee of Virginia, say: "It is our most fervent wish and sanguine hope, that your colony has the same disposition and spirit, and that, by a general congress, such a plan may be struck out as may effectually accomplish the grand object in view." The committee of correspondence of Virginia reply to this suggestion of the Baltimore committee, on the 4th of August, in the following language: "The expediency and necessity, however, of a general congress of deputies from the different colonies was so obvious that the meeting have already come to the resolutions respecting it, which we now take the liberty to enclose to you, and of which they have directed us to give you the earliest intelligence." Thus, it will be seen that, if there is merit in being among the first to suggest a great and leading measure, the recommendation of the Baltimore committee of the general congress pre-eminently entitles them to its claim; that Congress, according to these suggestions, did assemble, and from their deliberations resulted the declaration, that the thirteen colonies were free and independent States.—Purviance, p. 22, etc.

"That all legal and constitutional means ought to be used by all America for procuring a repeal of the said act of parliament.

"That the only effectual means of obtaining such repeal, they are at present of opinion, is an association under the strongest ties, for breaking off all commercial connections with Great Britain, until the said act of parliament be repealed, and the right assumed by parliament for taxing America, *in all cases whatsoever*, be given up, and American freedom ascertained and settled upon a permanent constitutional foundation.

"That the most practicable mode of forming such an effectual association they conceive to be a general meeting of the gentlemen who are already or shall be appointed committees to form an American intercourse and correspondence upon this most interested occasion.

"That in the meantime they will form such particular associations as to them shall seem effectual; yet professing themselves ready to join in any reasonable general one that may be devised as aforesaid.

"That these sentiments be immediately fowarded to be printed in the Maryland and Pennsylvania *Gazettes*. That Edward Tilghman, Solomon Wright, Turbut Wright, John Browne, Richard Tilghman Earle, James Hollyday, Thomas Wright, William Hemsley, Adam Gray, Clement Sewell, Richard Tilghman, James Kent, John Kerr, James Bordley, and William Bruff, be a committee of correspondence and intercourse, until some alteration is made in this appointment by a more general meeting."

A similar meeting was held by the citizens of Kent County at the courthouse in Chestertown, on the 2d of June, at which Thomas Smyth, Esq., was unanimously chosen chairman and William Hall clerk. The Maryland *Gazette* says:

"After reading the Act of Parliament for blocking up the harbor of Boston, and sundry letters and papers received from the committee of correspondence at Annapolis, the following gentlemen were chosen to correspond with the committees of the other counties of this province and of the colonies in general, viz: William Ringgold (Eastern Neck), Robert Buchanan, John Maxwell, Emory Sudler, Col. Richard Lloyd, Col. Joseph Nicholson, John Cadwallader, Joseph Nicholson, jr., Thomas Ringgold, Thomas B. Hands, Joseph Earle, Ezekiel Foreman, James Anderson, James Hynson, James Pearce, and Isaac Spencer, and Messrs. William Carmichael, John Vorhees, Donaldson Yeates, William Ringgold (Chestertown), Eleazer McComb, Dr. John Scott, Jeremiah Nicols, Dr. William Bordley, and Capt. James Nicholson.

"The gentlemen present then desired the committee to nominate a select number of their members to meet the committees from the different counties in one grand provincial committee at the city of Annapolis, on a day thereafter to be appointed, to deliberate on proper measures to be taken, in conjunction with the other colonies, in order to bring about a repeal of the above Act of Parliament, so destructive in its consequences to the liberties of America in general, and of the town of Boston in particular.

"The following gentlemen were appointed for that purpose, viz: Mr. William Hall, William Ringgold (Eastern Neck), Joseph Nicholson, jr., Thomas Ringgold and Joseph Earle; who were directed to use every means in their power to promote unanimity of councils, in order that a rational and well concerted plan may be laid down and prosecuted to attain the end proposed.

"The gentlemen of the committee being moved with the most tender sympathy for the distresses of their suffering brethren of Boston, particularly of the laboring poor, who are deprived of the means of supporting themselves and families by the operation of the Act for blocking up their harbor, opened a subscription for their relief, which in a little

time was filled up to a considerable amount, and is left in the hands of the chairman, to be collected and shipped to them in such articles of provisions as may be most wanted, whenever it shall be necessary.

"The committee then adjourned to the house of Mr. Edward Worrell in the said town, where their future meetings are to be held.

"Signed by order of the committee."

At a large meeting of the inhabitants of Anne Arundel County, held in in Annapolis on Saturday, the 4th of June, Mr. Brice Thomas Beale Worthington, moderator, the following resolutione were adopted:

"*Resolved, unanimously*, That it is the opinion of this meeting, that the town of Boston is now suffering in the common cause of America, and that it is incumbent on every colony in America to unite in effectual means to obtain a repeal of the late act of parliament for blocking up the harbor of Boston.

"*Resolved*, That it is the opinion of this meeting, that if the colonies come into a joint resolution to stop all importations from, and exportations to, Great Britain and the West Indies, till the act be repealed, the same will be the most effectual means to obtain a repeal of the said act, and preserve North America and her liberties.

"*Resolved therefore, unanimously*, That the inhabitants of this county will join in an association with the several counties of this province, and the principal colonies in America, to put a stop to exports to Great Britain and the West Indies, after the 9th day of October next, or such other day as may be agreed on, and to put a stop to the imports of goods not already ordered, and of those ordered that shall not be shipped from Great Britain by the 20th day of July next, or such other day as may be agreed on, until the said act shall be repealed, and that such association be on oath.

"*Resolved*, That as remittances can be made only from exports, after stopping the exports of Great Britain and the West Indies, it will be impossible for very many of the people of this province who are possessed of valuable property immediately to pay off their debts, and therefore it is the opinion of this meeting, the gentlemen of the law ought to bring no suit for the recovery of any debt due from any inhabitant of this province to any inhabitant of Great Britain, until the said act be repealed; and further, that they ought not to bring suit for the recovery of any debt due to any inhabitant of this province, except in such cases where the debtor is guilty of a wilful delay in payment, having ability to pay, or is about to abscond or remove his effects, or is wasting his substance, or shall refuse to settle his account.

"*Resolved*, That it is the opinion of this meeting, that a congress of deputies from the several counties to be held at Annapolis, as soon as conveniently may be, will be the most speedy and effectual means of uniting all the parts of this province in such association as proposed; and that if agreeable to the sense of our sister colonies, delegates ought to be appointed from this province to attend a general congress of deputies from the other colonies, at such time and place as may be agreed on, to effect unity in a wise and prudent plan for the forementioned purpose.

"*Resolved, unanimously*, That the inhabitants of this county will, and it is the opinion of this meeting, that the province ought to break off all trade and dealings with that colony, province, or town, which shall decline or refuse to come into similar resolutions with a majority of the colonies.

"*Resolved*, That Brice Thomas Beale Worthington, Charles Carroll, barrister; John Hall, William Paca, Samuel Chase, Thomas Johnson, jr., Matthias Hammond, Thomas Sprigg, Samuel Chew, John Weems, Thomas Dorsey, Rezin Hammond, John Hood, jr.,

be a committee to attend a general meeting at Annapolis, and of correspondence to receive and answer all letters, and on any emergency to call a general meeting, and that any six of the number have power to act.

"*Ordered*, That a copy of these resolves be transmitted to the committees of the several counties of this province, and be also published in the Maryland *Gazette*.

"By order JOHN DUCKETT, *Cl. Com.*"

A large meeting of the inhabitants of the lower part of Frederick County was held at Charles Hungerford's tavern, on Saturday, June 11th, when Henry Griffith was chosen moderator, and the following resolutions adopted:

"*Resolved, unanimously*, That it is the opinion of this meeting, that the town of Boston is now suffering in the common cause of America.

"*Resolved, unanimously*, That every legal and constitutional measure ought to be used by all America, for procuring a repeal of the Act of Parliament, for blocking up the harbor of Boston.

"*Resolved, unanimously*, That it is the opinion of this meeting that the most effectual means for the securing American freedom, will be to break off all commerce with Great Britain, and the West Indies, until the said act be repealed, and the right of taxation given up, on permanent principles.

"*Resolved, unanimously*, That Mr. Henry Griffith, Dr. Thomas Sprigg Wootton, Nathan Magruder, Evan Thomas, Richard Brooke, Richard Thomas, Zadok Magruder, Dr. William Baker, Thomas Cramplin, Jr. and Allen Bowie, be a committee to attend the general committee at Annapolis, and of correspondence for the lower part of Frederick county and that any six of them shall have power to receive and communicate intelligence, to and from their neighboring committees.

"*Resolved, unanimously*, That a copy of these our sentiments be immediately transmitted to Annapolis and inserted in the Maryland *Gazette*.

"Signed per order,

"ARCHIBALD ORME, *Clk.*"

A very large meeting of the inhabitants of Harford County was held on the 11th of June, at which Aquila Hall was appointed chairman, and the following resolutions adopted:

"I. *Resolved*, It is the opinion of this meeting that the town of Boston is now suffering in the common cause of America, and that it is the duty of every colony to unite in the most effectual constitutional means to obtain a repeal of the late act of parliament for blocking up the harbor and port of Boston.

"II. *Resolved*, That therefore we will join in an association with the other counties of this province on oath, not to export to, or import from, Great Britain any kind of produce or merchandise after such a day, as the committee of the several counties at their general meeting shall fix, until the repeal of the Boston port act.

"III. *Resolved*, That we will deal with none of the West India islands, colony or colonies, person or persons whatsoever residing therein, who shall not enter in similar resolves with the majority of the colonies within such time as the general committees of this province shall agree, but hold him or them as an enemy or enemies to American liberty.

"IV. *Resolved*, That we will join in an association with the other colonies, to send relief to the poor and distressed inhabitants of Boston, to enable them firmly to persevere in defence of the common cause.

"V. *Resolved*, That the merchants ought not to advance the price of their goods, but sell them as they intended, had not these resolves been entered into.

"VI. *Resolved*, That the gentlemen of the law ought to bring no suit for recovery of any debt due from any inhabitant of Great Britain, or this or any other colony, until the said act be repealed; except in such cases where the debtor is guilty of a wilful delay in payment, having ability to pay, or is about to abscond or remove his effects, or is wasting his substance, or shall refuse to settle his account by giving his bond on interest, (or security if required,) which fact or facts are to be made appear to some neighboring magistrate and certified under his hand.

"VII. *Resolved*, That the following gentlemen, viz: Rev. William West, Messrs. Aquila Hall, Richard Dallam, Thomas Bond (son of Thomas), John Love, Capt. John Paca, Benedict Edward Hall, Benjamin Rumsey, Nathaniel Giles, and Jacob Bond, be a committee to meet the committees of the other counties of this province, to consult and agree on the most affectual means to preserve our constitutional rights and liberties, and to promote that union and harmony between Great Britain and her colonies on which their preservation depends; and that the same gentlemen, together with the following, Capt. John Matthews, Capt. Wm. Smith, Dr. John Archer, Wm. Young, Abraham Whitaker, Wm. Webb, Amos Garret, George Bradford, John Rumsey, Jeremiah Sheredine, Wm. Smithson, William Bond (son of Joshua), Isaac Webster, and Alexander Cowan, be a committee of correspondence, and on any emergency to call a general meeting, and that any six of them have power to act.

"Signed per order,

"JOSEPH BUTLER, *Cl. Com.*"

At a meeting of the inhabitants of Charles County, held at the courthouse in Port Tobacco, on the 14th of June, "to deliberate on the effect and tendency of the Act of Parliament for blockading up the port and harbor of Boston," Mr. Walter Hanson was unanimously chosen chairman and the following resolutions adopted:

"*Resolved*, That it is the opinion of this meeting, that the Act of the British Parliament passed to block up the harbor and port of Boston, and suspend the trade and commerce of that town, is a violent attack upon the liberty and property of the inhabitants thereof, and in its consequences tends to render insecure, and destroy the rights and privileges of all British America.

"That the town of Boston now suffering under the execution of the said act, justly demands the most speedy and effectual assistance of every colony in America to obtain a repeal of the same.

"That the inhabitants of this county will join in an association with the several counties of this province, to put a stop to all imports from Great Britain after the first day of August next, except the articles of medicine—until the said act be repealed.

"That if the said Act of Parliament is not repealed by the 31st day of October, in the year 1775, that then the inhabitants of this county will join with the several counties of this province, and the principal colonies in America, to break off all commercial connection with Great Britain and the West Indies.

"It is the opinion of this meeting that a congress of deputies from the several colonies will be the most probable means of uniting America in one general measure to effectuate a repeal of the said Act of Parliament

"That deputies shall be sent from this county to meet at the city of Annapolis on the the 22d instant, and join with the deputies appointed by the several committees in a general, rational and practicable association for this province, and to appoint deputies to attend a congress of those nominated by the several colonies, and to adopt any other measures for relief of the people of Boston, which to them seems fit and reasonable.

"That the inhabitants of this county will break off all trade, commerce and dealings with that colony, town or county, which shall decline or refuse to associate in some rational and effectual means to procure a repeal of the said Act of Parliament.

"That the inhabitants of this county will adopt and steadily pursue such measures as tend to protect and secure the liberties of this county according to the true principles of the English Constitution, and thereby show themselves loyal and faithful subjects to his majesty, King George the Third.

"That Messrs. Walter Hanson, William Smallwood, Josias Hawkins, Francis Ware, Joseph Hanson Harrison, Thomas Stone, George Dent, Gustavus Richard Brown, John Dent, Thomas Hanson Marshall, Daniel Jenifer, Samuel Love, James Forbes, Robert T. Hooe, Philip Richard Fendall, Zephaniah Turner, James Key and James Craik, or any seven of them be a committee of correspondence to receive and answer all letters, and on any emergency to call a general meeting of the county; and that Messrs. Walter Hanson, William Smallwood, Josias Hawkins, Francis Ware, Joseph Hanson Harrison, Thomas Stone, John Dent, Daniel Jenifer, and Robert T. Hooe, are appointed deputies for the county to attend the general meeting at Annapolis, the 22d instant.

"God save the king and constitution. Signed per order,

"JOHN GWINN, *Clerk.*"

The citizens of Caroline County held a large meeting at Melvill's warehouse, on the 18th day of June, by adjournment from the 8th of the same month, and passed the following resolutions, Charles Dickinson, Esq., chairman:

"I. *Resolved*, That the inhabitants of this county are by duty and inclination firmly attached to his most sacred majesty, King George the Third, to whom they owe all due obedience and allegiance.

"II. That it is the unanimous opinion of this meeting that the Boston port act is principally grounded on the opposition made by the inhabitants of that town to the tea duty, that the said town of Boston is now suffering in the common cause of British America, and that it is the duty of every colony thereof to unite in the most effectual means to obtain a repeal of the late act of parliament for shutting up the port of Boston.

"III. That it is the unanimous opinion of this meeting that if the colonies came into a joint resolution to forbear all importations whatsoever from Great Britain, (except such articles as are absolutely necessary,) until the acts of parliament for shutting up the port of Boston, and for levying a duty in America for the express purpose of raising a revenue, shall be repealed, it will be the means of preserving the liberties of North America.

"*Resolved, therefore*, That the inhabitants of this county are disposed firmly to unite with the inhabitants of this province and the other colonies in North America, in an association and agreement to forbear the importation of all manner of goods and merchandise from Great Britain, during the continuance of the said acts of parliament (except such articles as may be judged proper to be excepted by a general association,) and that all orders for importation, (except for articles before excepted,) ought to cease.

"IV. That it is against the opinion of this meeting, that the colonies go into a general non-importation from, or non-exportation, to Great Britain, but should both, or either of those measures be adopted, they will acquiesce therein.

"V. That it is the unanimous opinion of this meeting, that the courts of justice be kept open. But should a non-exportation agreement be generally come into, in that case it is the opinion of this meeting that the courts of justice be shut up.

"VI. That it is the opinion of the inhabitants of this county, that this province ought to break off all trade and dealings with that colony, province, or town, which shall refuse or decline to come into similar resolutions with a majority of the colonies.

"VII. That it is the unanimous opinion of this meeting, that delegates be appointed from this province to attend a general congress of delegates from the other colonies, at such time and place as shall be agreed on, in order to settle and establish a general plan of conduct for the important purposes aforementioned.

"VIII. That Thomas White, William Richardson, Isaac Bradley, Nathaniel Potter, Benson Stainton, and Thos. Goldsborough, be a committee to attend a general meeting at Annapolis. And that the same gentlemen, together with Charles Dickinson, Richard Mason, Joshua Clark, Henry Dickinson, Dr. Wm. Molleson, Charles Blair, Wm. Haskins, Philip Fiddeman, Wm. Hopper, the Rev. Samuel Keene, the Rev. Philip Walker, Henry Cisson, and Benedict Brice, be a committee of correspondence to receive and answer all letters, and on any emergency, to call a general meeting, and that any seven of the number have power to act.

"IX. That this paper be considered as an instruction to the deputies nominated for this county to meet at the city of Annapolis for the purpose of forming a general association, in which they are not to come into any engagement whatever, but upon condition that the colonies in general shall come into a similar measure.

"X. That a copy of the proceedings be published in the Maryland *Gazette*, to evince to the world the sense they entertain of the invasion of their constitutional rights and liberties. Signed, per order, "HENRY DOWNES, JR., *Clerk*."

At a meeting of the citizens of Frederick County, held at the court-house of the county, in Frederick Town, on the 20th of June, the following resolutions were adopted, John Hanson, chairman:

"I. *Resolved*, That it is the opinion of this meeting, that the town of Boston is now suffering in the common cause of America, and that it is the duty of every colony in America to unite in the most effectual means to obtain a repeal of the late Act of Parliament for blocking up the harbor of Boston.

"II. That it is the opinion of a great majority of this meeting, that if the colonies come into a joint resolution, to stop all imports from and exports to Great Britain and the West Indies, till the Act of Parliament for blocking up the harbor of Boston, as well as every other act oppressive to American liberty be repealed, the same may be the means of preserving to America her rights, liberties and privileges.

"III. That therefore, this meeting will join in an association with the several counties in this province, and the principal colonies in America, to put a stop to all exports to, and imports from, Great Britain and the West Indies, shipped after the 25th day of July next, or such other day as may be agreed on, until the said acts shall be repealed; and that such association shall be upon oath.

"IV. That we, the inhabitants of Frederick County, will not deal or have any connections with that colony province, or town, which shall decline or refuse to come into similar resolutions with a majority of the colonies.

"V. That no suit shall be commenced after the stop shall be put to imports and exports, for the recovery of any debt due to any person whatsoever, unless the debtor be about to abscond, or being applied to, shall refuse to give bond and security.

"VI. That Messrs. John Hanson, Thomas Price, George Scott, Benjamin Dulany, George Murdock, Philip Thomas, Alexander C. Hanson, Baker Johnson and Andrew Scott, be a committee to attend the general congress at Annapolis, and that those gentlemen, together with Messrs. John Cary, Christopher Edelen, Conrad Groth, Thomas Schley, Peter Hoffman and Archibald Boyd, be a committee of correspondence to receive and answer letters, and any emergency to call a general meeting, and that any six shall have a power to act.

"Ordered, that these resolves be immediately sent to Annapolis, that they may be printed in the Maryland *Gazette*. Signed per order,

"ARCHIBALD BOYD, *Cl. Com.*"

REESE

The Maryland *Journal* says:

"On Saturday, the 2d of July, 1774, about 800 of the principal inhabitants of the upper part of Frederick County, Md., assembled at Elizabeth Town, and being deeply impressed with a sense of the danger to which their natural and constitutional rights and privileges were exposed, by the arbitrary measures of the British Parliament, do think it their duty to declare publicly their sentiments on so interesting a subject, and to enter into such Resolutions as may be the means of preferring their freedom. After chosing John Stull, Esq., their Moderator, the following resolves were unanimously entered into:

"I. "That the Act of Parliament for blocking up the harbour of the Town of Boston is a dangerous invasion of American liberty, and that the town of Boston is now suffering in the common cause, and ought to be assisted by the other Colonies.

"II. That the stopping all commercial intercourse with Great Britain, will be the most effectual means for fixing our Liberties on the footing we desire.

"III. That a general Congress of Delegates from the several colonies, to effect a uniform plan of conduct for all America, is highly necessary, and that we will strictly adhere to any measure that may be adopted by them for the preservation of our Liberties.

IV. That the surest means for continuing a people free and happy, is the disusing all luxuries, and depending only on their own fields and flocks for the comfortable necessaries of Life.

"V. That they will not, after this day, drink any Tea, nor suffer the same to be used in their Families, untill the Act for laying duty thereon be repealed.

"VI. That they will not, after this day, kill any sheep under three years old.

"VII. That they will immediately prepare for manufacturing their own own clothing.

"VIII. That they will immediately open a subscription for the relief of their suffering Brethren in Boston.[1] After choosing John Stull, Samuel Hughes, Jonathan Hager,[2] Conrad Hogmire, Henry Snebley, Richard Davis, John Swan, Charles Swearingen, Thomas

[1] To show how the poor, out of their limited means, contributed to these subscriptions, we append an interesting memorandum:

"LINGANORE, Frederick County, "April 3, 1775.

"As much for the satisfaction of the subscribers to this paper, as the contradicting malicious reports lately propagated in this county to the detriment of the character of the collector of this place, has thought proper to give the public a state of his collections, with the receipt of the treasurer (appointed by the committee for said county), for the money, as may appear below. A copy of the subscription paper, with the subscribers' name affixed to it, as followeth: 'We, the subscribers, inhabitants of Frederick county, have paid to David Moore the sums of money affixed to our names, in consequence of an unanimous resolve of the committee for the middle part of said county, to make up, by the first Monday of next January, the sum of $100 currency, to be sent immediately to Boston, there to be divided among the families whose means of sustenance have been so long and cruelly cut off by an Act of British Parliament. We consider the people of Boston as standing in the gap, where tyranny and oppression are ready to enter, to the destruction of the liberties of all America, and that, therefore, it is the duty of every individual in America to contribute as largely as his circumstances will admit to their support.

"'*November 30, 1774.*

"'Wm. Winchester, 7*s.* 6*d.*; John Chamberlain, 7*s.* 6*d.*; John Chrisman, 10*s.*; William Carey, 1*s.* 8*d.*; Christian Efrey, 3*s.* 9*d.*; William Kende, 1*s.* 3*d.*; John Becrast, 4*s.*; John Weaver, 5*s.*; John Umsteat, 5*s.*; J. McDaniel, Sr., 7*s.* 6*d.*; Charles Wood, 7*s.* 6*d.*; James Frazer, 9*s.*; Sol. Longworth, 5*s.*; Enoch Moore, 3*s.* 9*d.*; Francis Mathews, 7*s.* 6*d.*; John Lindsey, 2*s.* 6*d.*; John Henckle, 2*s.*; James Hoops, 2*s.*; Conrad Carkess, 3*s.*; Peter Kemp, 5*s.*; Gerrard Davis, 2*s.* 6*d.*; Jacob Hosler, 2*s.*; Green Shurcar, 5*s.*; Anthony Linsey, 5*s.*; Edward Hodgskiss, 5*s.*; John Chamberlain, 5*s.*; W. Winchester, Jr., 5*s.*; James Winchester, 5*s.*; Hugh McKniel, 2*s.*; Thomas Wheeler, 5*s*; Joshua Grimes, 2*s.* 6*d.*; Aran Richards, 5*s.*; George Becrast, 5*s.* 4*d.*; John Lawrance, £1; Joseph Wood, Sr., 5*s.* 8*d.*; J. McDaniel, Jr., 5*s.* 8*d.*; Edward Evans, 5*s.* 8*d.*; Francis McDaniel, 5*s.*; William Condon, 3*s.* 9*d.*; Amos Wright, 3*s.* 9*d.*; David Moore, £1 6*s.* 5*d.* Total, £11 10*s.*'

"Received, January 26, 1775, of Mr. David Moore, the sum of £11 10*s.*, a sum collected by him for the support of the poor in Boston.

"CHRISTOPHER EDELAN."

[2] Captain Jonathan Hager, the proprietor and founder of Hagerstown, Washington county,

Brooke, William McGlury and Elie Williams as a committee; they proceeded to shew their disapprobation of Lord North's Conduct, with regard to America, by Hanging and burning his Effigy; after which a subscription was opened for the relief of the Poor of Boston. In consequence of the Fifth Resolve a number of mercantile Gentleman solemnly declared, they would send off all the Tea they had on hand, and that they would not purchase any more, until the Act laying a duty thereon be repealed, among which number was a certain John Parks.

"*Resolved*, That the above proceedings be published.

"ELLIE WILLIAMS, *Clerk*."

In June and July, the inhabitants of Maryland subscribed liberally for the relief of Boston and Charlestown, Massachusetts, and forwarded several vessels loaded with provisions. The committee of Boston, in acknowledging the benevolence of the citizens of Chestertown, Kent County, said:

"We cannot but gratefully receive the generous sympathy and tender concern of our distant brethren for the distresses of the town of Boston, and esteem ourselves particularly obliged to the benevolent town of Chester, for their early interposition and tenders of benevolence, towards the afflicted poor of this devoted metropolis.

"You conceive with justice, that we are suffering in the common cause; but being supported in the conflict with such liberal and seasonable aids, we presume, by the blessing of heaven, that this severe trial of the fortitude of the citizens will never terminate in the surrender of the liberties of America.

"The port bill, execrable as it is, and unparallelled for its severity, is executed infinitely beyond the rigor of the letter; a discretionary power to accumulate distress, is evidently betrusted to the executioner of the law; but you may rest assured, gentlemen, that we find greater difficulties in repressing the indignation of the people, than in inspiring them with a proper degree of spirit, fortified by the kind assurance of the countenance and assistance of the other colonies, though they bleed at every vein, they will never desert the common interest. Much we have to sacrifice, should the present measures be protracted; but in a cause so important, what sacrifice can be too great?

"We cannot but applaud the spirit and determined virtue of the town of Chester, in their public transactions. A happy concurrence of sentiment and exertion, throughout the continent, at this interesting period, bodes well to the liberties of America. May this darling object forever attract our attention, and success crown the general struggle.

"We shall not fail to communicate such interesting matters as may be worthy your attention. The smiles and blessings of numerous poor await your proposed relief. Please to consign whatever you may think proper to contribute to their necessities, to John Barrett, Esq., merchant in Boston, who is authorized to dispense your bounty. We shall esteem ourselves honored by your communications, and are, gentlemen, with much esteem,

"Your most obedient humble servants,

"SAMUEL ADAMS,
"BENJAMIN CHURCH, JR.,
"JOHN SWEETSER, JR.

"By order of the Committee for the town of Boston.

was naturalized by the General Assembly in 1747, and soon afterwards settled at Elizabeth Town, now called Hagerstown. In October, 1773, he was sent a delegate to the General Assembly by Frederick county, but was declared by that body ineligible on the ground that he was not a native-born subject or descended from one. This action of the Lower House created considerable comment in the province, and the Governor and his council declared the proceedings "unprecedented." He died at Hagerstown on Monday, the 6th of November, 1775, in the sixty-first year of his age.

"P. S.—To increase the embarrassments of the town of Boston, our provision vessels, which are directed by the Act to take a permit at Marblehead, before they are suffered to enter this harbor, are now compelled to unlade there, in pretence of preventing the conveyance of unadmissible goods; but in fact, as some of their own officers have declared, to accumulate new distresses on this unhappy town."

In pursuance of the resolution adopted by the people of Baltimore, on the 31st of May, the deputies from all the counties assembled in general convention at Annapolis, on the 22d of June, 1774.

Never was there a body of men selected from all the people of Maryland more distinguished by their intelligence, their integrity, or the purity of their purposes. All eyes were turned upon their deliberations, which were to stand forth as the acknowledged deed of an enlightened and patriotic people. The convention organized by calling Matthew Tilghman,[1] Esq., of Talbot County, to the chair, and electing John Duckett clerk. Upon calling the roll ninety-two members from the several counties answered to their names.[2] After reading the correspondence received from Boston, Philadelphia and Virginia, the convention adopted the following resolutions:

MATTHEW TILGHMAN.

"I. *Resolved*, That the said act of parliament, and bills, if passed into acts, are cruel and oppressive invasions of the natural rights of the people of the Massachusetts Bay as men, and of their constitutional rights as English subjects; and that the said act, if not repealed, and the said bills, if passed into acts, will lay a foundation for the utter destruction of British America; and therefore that the town of Boston and the province of Massachusetts, are now suffering in the common cause of America.

"II. *Resolved*, That it is the duty of every colony in America to unite in the most speedy and effectual means to obtain a repeal of the said acts, and also of the said bills, if passed into acts.

"III. *Resolved*, That it is the opinion of this committee, that if the colonies come into a joint resolution to stop all importations from, and exportations to, Great Britain, until the said acts, or bills, if passed into acts, be repealed, the same will be the most speedy and effectual means to obtain a repeal of the said act or acts, and preserve North America and her liberties.

"IV. *Resolved*, Notwithstanding the people of this province will have many inconveniences and difficulties to encounter, by breaking off their commercial intercourse with the mother country, and are deeply affected at the distress which will be thereby necessarily brought on many of their fellow-subjects in Great Britain, yet their affection and regard to an injured and oppressed sister colony, their duty to themselves, their posterity,

[1] "Hon. Matthew Tilghman was born February 17, 1718, and died May 4, 1790. He was the youngest son of the second Richard Tilghman, of the Hermitage and Anna Maria Tilghman. He married Anna Lloyd, sister of Margaret Lloyd, wife of his brother William Tilghman, and daughter of James Lloyd and Ann Grundy. He had several children. He was adopted by his cousin Matthew Tilghman Ward, and inherited from him the large landed estate, Bayside, in Talbot county. He entered public life at the early age of twenty-three, and in 1841 was appointed one of the justices of the peace of Talbot county. In 1751, he was a delegate in the Lower House of Assembly, and afterwards held many public offices."—George A. Hanson's *Old Kent*.

[2] See Appendix.

and their country, demand the sacrifice—and therefore that this province will join in an association with the other principal and neighbouring colonies, to stop all exportations to, and importations from, Great Britain, until the said acts, and bills if passed into acts, be repealed: the non-importation and non-exportation to take place on such future day as may be agreed on by a general congress of deputies from the colonies—the non-export of tobacco to depend and take place only on a similar agreement by Virginia and North Carolina, and to commence at such time as may be agreed on by the deputies for this province and the said colonies of Virginia and North Carolina.

"V. *Resolved*, That the deputies from this province are authorised to agree to any restrictions upon exports to the West Indies, which may be deemed necessary by a majority of the colonies at the general congress.

"VI. *Resolved*, That the deputies from this province are authorised, in case the majority of the colonies should think the importation of particular articles from Great Britain to be *indispensably* necessary for their respective colonies, to admit and provide for this province such articles as our circumstances shall necessarily require.

"VII. *Resolved*, That it is the opinion of this committee, that the merchants and others, venders of goods and merchandizes within this province, ought not to take advantage of the above resolve for non-importation, but that they ought to sell their goods and merchandizes that they now have, or may hereafter import, at the same rates they have been accustomed to do within one year last past; and that if any person shall sell any goods which he now has, or hereafter may have, or may import, on any other terms than above expressed, no inhabitant of this province ought, at any time thereafter, to deal with any such person, his agent, manager, factor, or storekeeper, for any commodity whatever.

"VIII. *Resolved unanimously*, That a subscription be opened in the several counties of this province, for an immediate collection for the relief of the distressed inhabitants of Boston, now cruelly deprived of the means of procuring subsistence for themselves and families, by the operation of the said act for blocking up their harbor, and that the same be collected by the committees of the respective counties, and shipped by them in such provisions as may be thought most useful.

"IX. *Resolved, unanimously*, That this committee embrace this public opportunity, to testify their gratitude and most cordial thanks to the patrons and friends of liberty in Great Britain, for their patriotic efforts to prevent the present calamity in America.

"X. *Resolved*, That Matthew Tilghman, Thomas Johnson, jun., Robert Goldsborough, William Paca, and Samuel Chase, Esqrs., or any two or more of them, be deputies for this province, to attend a general congress of deputies from the colonies, at such time and place as may be agreed on to effect one general plan of conduct, operating on the commercial connection of the colonies with the mother country, for the relief of Boston and preservation of American liberty; and that the deputies for this province immediately correspond with Virginia and Pennsylvania, and through them with the other colonies, to obtain a meeting of the general congress, and to communicate, as the opinion of this committee, that the twentieth day of September next will be the most convenient time, and the city of Philadelphia the most convenient place, for a meeting, which time and place, to prevent delay, they are directed to propose.

"XI. *Resolved, unanimously*, That this province will break off all trade and dealings with that colony, province, or town which shall decline or refuse to come into the general plan which may be adopted by the colonies.

"XII. *Resolved*, That the deputies for this province, upon their return, call together the committees of the several counties, and lay before them the measures adopted by the general congress.

"*Ordered*, That copies of these resolutions be transmitted to the committees of correspondence for the several colonies, and be also published in the Maryland *Gazette*."

The convention adjourned on the 25th, but it was not long before a serious infringement of the non-importation agreement, occupied public attention. In August the brigantine *Mary and Jane*, Captain George Chapman, arrived in St. Mary's River, from London, with eleven chests of tea, consigned to Robert Findlay, a merchant of Bladensburg, Robert Peter, of Georgetown, and several other merchants at Norfolk, Virginia. In consequence of this "alarming" intelligence the committee of correspondence of Frederick county held a meeting on the 11th of August, and requested these gentlemen to appear before them. After hearing their statements, the committee unanimously resolved "that the importation of any commodity from Great Britain liable to the payment of a duty imposed by an Act of Parliament, is in a high degree dangerous to our liberties, as it implies a full assent to the claim asserted, by the British Parliament, of a right to impose taxes for the purpose of raising a revenue in America." And, in order "to discourage the pernicious practice," the committee determined that the "detestable plant" should not be landed in America, but that "it should be sent back in the same ship."

An occasion soon offered for a more exemplary exercise of the heroic virtue and manly spirit which characterized the citizens of the province; and it was met in a manner worthy of their high character, worthy of the patriotic cause in which they had embarked, worthy of the incalculable interests involved in its issue.

In spite of the events at Boston and the fact that Maryland had driven from her ports as early as 1769, several cargoes of contraband goods, the importation of tea was attempted in the province. The brig *Peggy Stewart*, of Annapolis, which arrived at that port October 15, 1774, had among her cargo seventeen packages of tea, containing about 2,320 pounds. It appears that the consignees, Messrs. Williams & Co., merchants in Annapolis, had imported a larger quantity of this "detestable plant" than formerly, and that Mr. Anthony Stewart, the owner of the vessel and a member of the non-importation associators, had paid the duties thereon, though he was not the owner of the property or concerned in its importation. This act of Mr. Stewart's was naturally regarded as a submission to the contested claim of the British Parliament and an insult to the people of the province, whose feelings were so well known. A general meeting of citizens was called, which passed severe censures upon him and all the parties concerned. This proceeding, however, did not satisfy the more violent, and soon a general spirit of resentment was aroused. Various modes of proceeding were proposed and discussed, and finally a committee was appointed to guard the vessel and prevent the landing of the tea until the opinion of the province could be

STEWART'S MANSION.

fully ascertained. Wednesday, the 19th of October, was appointed for the general meeting at which the delegates from the various counties were notified to be present. Mr. Stewart, apprehensive of the consequences likely to result, solicited a meeting of the citizens of Annapolis on the following Monday, October 17th, hoping that by an early public act of contrition, he might induce his fellow citizens to prevent the assembling of a more violent body of spirits from the country, from whom he feared the worst.

At this meeting it was proposed by the more conservative citizens, that Messrs. Stewart and Williams, who were exceedingly anxious to make atonement for the offence they had committed, might be permitted to land and burn the tea, in any place that might be selected for that purpose. This proposition was, however, strongly opposed by the more violent, who insisted that all proceedings should be delayed until the general meeting assembled, when a more public acknowledgment and satisfaction might be made.

Mr. Stewart, finding that he could not accomplish his purpose, and with a view to moderate the resentment which his conduct had occasioned, distributed a handbill and affidavit, apologizing in the most humble terms for his offence. The hand-bill was publicly read, but seemed to have no effect in his favor.

The delegates assembled in Annapolis on Wednesday, the 19th of October. Messrs. Stewart and Williams, accompanied by the committee, attended, and after acknowledging the impropriety of their conduct, signed the following humiliating paper:

"We, James Williams, Joseph Williams and Anthony Stewart, do severally acknowledge, that we have committed a most daring insult, and act of the most pernicious tendency to the liberties of America; we, the said Williams, *in importing the tea*, and said Stewart, *in paying the duty thereon;* and thereby deservedly incurred the displeasure of the people now convened, and all others interested in the preservation of the constitutional rights and liberties of North America; do ask pardon for the same; and we solemnly declare, for the future, that we never will infringe any resolution formed by the people, for the salvation of their rights; nor will we do any act that may be injurious to the liberties of the people; and to shew our desire of living in amity with the friends of America, we request this meeting, or as many as may choose to attend, to be present at any place where the people shall appoint, and we will there commit to the flames, or otherwise destroy, as the people may choose, the detestable article, which has been the cause of this our misconduct.

"ANTHONY STEWART,
"JOSEPH WILLIAMS,
"JAMES WILLIAMS."

Mr. Eddis, who was an eye witness to these proceedings, says:

"Mr. Stewart, on account of what was deemed a cheerful and ready compliance with an unconstitutional act of the British legislature, was particularly obnoxious: and though he publicly read his recantation, expressed in the most submissive and penitential terms, there were frantic zealots among the multitude who warmly proposed the American discipline of tarring and feathering. Others, with a less vindictive spirit, were clamorous for the destruction of the brig, which had imported the hateful commodity: whilst many

others, who indeed were the more numerous party, candidly declared 'that the paper signed by the offenders, with their unextorted consent to burn the tea, was a sufficient punishment, and satisfaction.' But to determine the point with certainty, it was proposed and assented to, that a division should take place on the following question: 'Whether the vessel should, or should not be destroyed?' When it was carried in the negative by a considerable majority, the citizens, in general, appearing averse to violent measures. But as the minority were chiefly persons who resided at a distance from Annapolis; as some of them had great influence in their neighborhood, and intimated a determined resolution to proceed to the utmost extremities, the instant they could collect sufficient numbers to support them; Mr. Stewart was induced[1] from an anxious desire to preserve the public tranquillity, as well as to ensure his own personal safety, to propose setting fire himself to the vessel; which being immediately assented to, he instantly repaired on board, accompanied by several gentlemen who thought it necessary to attend him, and having directed her to be run on ground, near the Wind-mill point, he made a sacrifice of his valuable property to intemperate zeal and clamor; and in a few hours the brig, with her sails, cordage, and every appurtenance, was effectually burnt."

In this way did the patriots of Maryland, within twelve months of the events at Boston, take their stand, and throw down the gauntlet to the British Parliament and ministry. There was no darkness, no disguise, no veil of secrecy, no shirking the responsibility, nor attempting to evade the risk of their actions. What was done, was done deliberately, was done openly, in the face of day and in public meeting, under the very eyes of officials, to whom probably every actor was personally known, and who would not fail to note them. Their rights had been contemned, their liberties invaded, their charter violated, and they determined to resist the wrong squarely and at once, be the consequences what they might.[2]

On the 26th of June, 1774, "the deputies for Maryland" addressed a letter to the Virginia Committee of Correspondence, in which they say:

"To save America from destruction, it is our most fervent wish and sanguine hope, that your colony has the same disposition and spirit, and that, by a general congress, such a plan may be struck out as may effectually accomplish the grand object in view. We are also directed to propose that the general congress be held at the city of Philadelphia, the twentieth of September next. The limits of our province, and the number of its

[1] It is said that Mr. Stewart applied to Charles Carroll, of Carrollton, as the one most able to protect him from violence; and that gentleman gave him the following advice: "It will not do, gentlemen, to export the tea to Europe or the West Indies. Its importation, contrary to the known regulations of the convention, is an offense for which the people will not be easily satisfied; and whatever may be my personal esteem for Mr. Stewart, and my wish to prevent violence, it will not be in my power to protect him, unless he consents to pursue a more decisive course of conduct. My advice is, that he set fire to the vessel and burn her, together with the tea that she contains, to the water's edge."

[2] In June, 1774, Governor Eden sailed for England, and returned on November 8, following. In a letter, dated Annapolis, 30th December, 1774, he thus speaks of affairs in the province: "This province has been tolerably quiet since I arrived; before that, they had in one or two instances been second, I think, in violent measures to Boston. The spirit of resistance against the Tea Act, or any mode of internal taxation, is as strong and universal here as ever. I firmly believe that they will undergo any hardship sooner than acknowledge a right in the British Parliament in that particular, and will persevere in their non-importation and non-exportation experiments, in spite of every inconvenience that they must consequently be exposed to, and the total loss of their trade.—London Public Record Office, *America and West Indies*, No. 203.

inhabitants, compared with yours, afforded an opportunity of collecting our general sense, before the sentiments of your colony could be regularly ascertained, and therefore, as this province had the first opportunity, it has taken the liberty of making the first proposition."

Colonel George Washington, who was a member of the Virginia Committee of Correspondence, in referring to this proposition, in a letter dated August 5th, to Thomas Johnson, Jr., of Annapolis, said:

"As the resolves of all the colonies which had come to hand in this meeting, adopted your appointment of Philadelphia as the place to hold the congress in; as the first of September or thereabouts hath been fixed upon by all of them (except your province) as a fit time; and as the time is now so near at hand as to render it difficult, if practicable, to change it, without putting too much to the hazard; it was resolved here to abide by the general choice of Philadelphia, though judged an improper place, and to fix upon the 5th of September (as the South Carolinians have done) for the time."

This letter was transmitted by Thomas Johnson, Jr., and Samuel Chase, of the Annapolis Committee, to Baltimore, accompanied with the proceedings of Virginia. They say:

"The letter of Col. Washington to Mr. Johnson, you'll perceive, was not designed for public view. We are sorry that the meeting is so early as the 5th of September, but perhaps it will be better then, and at Philadelphia, than to run the risk of a new appointment."[1]

Therefore, the Continental Congress which was first proposed by Maryland, and to which she selected the first set of delegates, assembled on the 5th of September, 1774, at Carpenter's Hall, in Philadelphia, the city of her choice. The congress, styling themselves "the delegates appointed by the good people of these colonies," organized as a deliberate body by the choice of Peyton Randolph, of Virginia, as president, and Charles Thompson, of Pennsylvania, secretary. On the first day of their assembling, Maryland had three delegates in attendance—Robert Goldsborough, Wm. Paca and Samuel Chase. Thomas Johnson attended September 6th, and Matthew Tilghman on the 12th.

[1] On the 16th of July, 1774, the Boston committee of correspondence transmitted to the Baltimore committee the following reply to their letter of the 27th of June, enclosing the resolutions, etc.: "Your important letter of the 27th ult., with the enclosures, came safe to hand, and were regarded as 'good news from a far country.' The part taken by the Province of Maryland must henceforth stop the mouths of those blasphemers of humanity who have affected to question the existence of public virtue. So bright an example as you have set, cannot fail to animate and encourage even the lukewarm and indifferent, more especially such honest men as wish to be assured of support before they engage in so weighty an enterprise. The account you give us of the spirit and magnanimity of the people of Virginia, confirms us in the opinion we have ever had of that ancient colony, of whose disinterested virtue this province has had ample experience. The noble sacrifice you stand ready to make of the staple commodity of your province, so materially affecting the revenue of Great Britain, and your generous interposition in our favor, have our warmest acknowledgments. So much honor, wisdom, public and private virtue, so much readiness in every colony to afford every species of aid and assistance that the suffering state requires, must convince the venal herd that, notwithstanding they may be utterly unacquainted with the meaning of the word *patriotism*, it has, however, a substantial existence in North America. With the smiles of all-governing Providence upon the vigorous efforts of our inestimable brethren at home and abroad, we promise ourselves a final deliverance from the calamities we are now subjected to, and which, for our own, our country, and posterity's political salvation, we resolve, by God's assistance, to sustain with fortitude and patience."—Purviance, p. 164.

On the 6th of September, a resolution was passed "that a committee be appointed to state the rights of the colonies in general, the several instances in which those rights are violated or infringed, and the means most proper to be pursued for obtaining a restoration of them." The committee consisting of two from each colony, Thomas Johnson and Robert Goldsborough were appointed from Maryland. Another committee was ordered on the same day to examine and report the several statutes affecting the trade and manufactures, upon which Samuel Chase was appointed. On the 27th, Mr. Johnson, together with Messrs. Cushing, Low, Mifflin and Lee, were appointed a committee to bring in a plan "for carrying into effect the non-importation, non-consumption, and non-exportation" association. Mr. Johnson was also placed on a committee with Messrs. Henry, Lee, J. Adams and Rutledge, to prepare an address to the king. After the adoption of these measures the Congress on the 26th of October adjourned.[1]

Soon after the adjournment of congress, on the 9th of November, the inhabitants of Anne Arundel County "qualified to vote for representatives," at a meeting held in Annapolis, adopted the following resolutions:

"*Resolved*, That Thomas Dorsey, John Hood, Junior, John Dorsey, Philip Dorsey, John Burgess, Thomas Sappington, Ephraim Howard, Caleb Dorsey, Richard Stringer, Reuben Merriweather, Charles Warfield, Edward Gaither, Junior, Greenberry Ridgely, Elijah Roloson, Thomas Mayo, James Kelso, Benjamin Howard, Ely Dorsey, Senior, Mark Brown Sappington, Brice T. B. Worthington, Charles Carroll, Barrister; John Hall, William Paca, Thomas Johnson, Junior, Mathias Hammond, Samuel Chase, Charles Carroll of Carrollton, Rezin Hammond, Charles Wallace, Richard Tootell, Thomas Harwood, Junior, John Davidson, John Brice, John Weems, Samuel Chew, Thomas Sprigg, Gerard Hopkins, Junior, Thomas Hall, Thomas Harwood, West River; Stephen Stewart, Thomas Watkins, Thomas Belt, the third; Richard Green, and Stephen Watkins, Be a Committee to represent and act for this County and City, to carry into execution the association agreed on by the American Continental Congress; and that any seven have power to act.

"*Resolved*, That Thomas Johnson, Junior, John Hall, William Paca, Charles Carroll, Barrister; Charles Carroll, of Carrollton, Mathias Hammond, Samuel Chase, and Richard Tootell, be a committee of correspondence for this County and City; and that any three have power to act.

[1] Extract of a letter received in London from Maryland, dated September 28, 1774: "The general Congress is now sitting, and consists of deputies from every colony on the continent except Quebec and the two Floridas. You shall hear soon again from me, if they do not recommend a stop to all mercantile commerce with Great Britain. This Congress is truly respectable—it consists of about seventy members, men of integrity, men of talents, chosen without solicitation, bribery or corruption, chosen only on account of their integrity and talents. I will not compare them to the House of Commons in point of fortune and property, but I will not degrade them by making it a doubt whether the American Congress does not excel both Houses of Parliament in honor, honesty and public spirit. All your public papers tell us both Houses of Parliament are corrupt and venal—their acts against America speak them tyrannical. Why is England put to the immense expense of sending troops and ships of war to awe us into obedience; is she able, under such a load of debts, to bear an increase? Is the ministry weak enough to think we shall draw the sword when patience and forbearance of commerce will very effectually answer our purpose? America does not yet contain five millions of souls; in fifty years, according to the common course of population, she may contain at least sixty millions. Will Great Britain, then, pretend to tax us and enforce payment by her troops and navies?"—*American Archives*, 4th series, vol. i., p. 810.

"*Resolved*, That it is the sense of this meeting, that the gentlemen appointed to represent this County and City, in the late Provincial Convention, together with Charles Carroll of Carrollton, ought to attend the next Provincial meeting on the 21st instant, and have full power to represent and act for this County and City."

At a meeting of the inhabitants of Calvert County "qualified to vote for representatives," held on Wednesday, the 16th of November, the following resolutions were adopted:

"*Resolved*, That Alexander Somervell, John Weems, Jun., Richard Parran, William Lyles, Benjamin Mackall, the Fourth; Edward Reynolds, William Allnut, Benjamin Mackall, Charles Graham, Edward Gantt, Dr. Edward Johnson, Samuel Chew, John Broom, Samuel Hance, William Allein, Daniel Rawlings, Frisby Freeland, James Heighe, Benjamin Skinner and William Ireland, Jun., be a committee to represent this County, to carry all into execution the association agreed on by the continental Congress, and that any five have power to act.

"*Resolved*, That the following gentlemen, or any three of them, be a committee of correspondence for this County, viz: Alexander Somervell, John Weems, Jun., Richard Parran, William Lyles, Benjamin Mackall, the fourth, and Edward Reynolds.

"*And further resolved*, That the former committee for this County have power again to attend at the Provincial Convention, to be held at the City of Annapolis the 21st instant, and that the said former committee have power to vote for delegates to attend the Congress to be held at the City of Philadelphia the tenth day of May next."

At a meeting of the inhabitants of Frederick County, "qualified to vote for representatives," held at the court-house, on Friday, the 18th of November, the following resolutions were adopted:

"*Resolved*, That Charles Beatty, Henry Griffith, Thos. Sprigg Wootton, Jacob Hunk, Nath. Magruder, Richard Thomas, Ivan Thomas, Richard Brooke, Zadock Magruder, William Baker, Thomas Cramphin, Jun., John Murdock, Thomas Jones, Allen Bowie, Jun., William Deakins, Jun., Bernard O'Neal, Brook Beall, Edward Burgess, Charles G. Griffith, Henry Griffith, Jun., William Bayley, Jun., Samuel W. Magruder, Nath. Offutt, Archibald Orm, Joseph Threlkeld, Walter Smith, Thos. Beall, of George, Richard Crab, William Luckett, William Luckett, Jun., Greenbury Griffith, Samuel Griffith, John Hanson, Thomas Price, Thomas Bowls, Conrad Grosh, Thos. Schley, Jonathan Wilson, Francis Deakins, Casper Shaaff, Peter Hoffman, George Scott, Baker Johnson, Philip Thomas, Alexander C. Hanson, Archibald Boyd, Arthur Nelson, Andrew Scott, George Stricker, Adam Fisher, William Lodwic Weltner, Van Swarengen, William J. Beall, Jacob Young, Peter Grosh, Æneas Campbell, Elias Bruner, Frederick Kemp, John Haas, John Ramsburgh, Thomas Hawkins, Upton Sheredine, John Lawrence, Basil Dorsey, Charles Warfield, Ephraim Howard, Joseph Wells, David Moore, Joseph Wood, Norman Bruce, William Blair, David Shriver, Roger Johnson, Henry Cook, Robert Wood, William Albaugh, Jacob Mathias, Henry Crawle, Jacob Ambrozie, David Richards, William Winchester, Philip Fishburn, William Hoobs, Thomas Cresap, Thomas Warren, Thos. Humphreys, Richard Davis, Jr., Charles Clinton, James Prather, George Brent, James Johnson, James Smith, Joseph Chapline, John Stull, Samuel Beall, Jr., William Beard, Joseph Sprigg, Christian Orandorf, Jonathan Hager, Conrad Hogmire, Charles Swearengen, Henry Snavely, Richard Davis, Samuel Hughes, Joseph Perrey, John Jugerham, Joseph Smith, Thomas Hog, Thomas Prather, William McClary, John Swan, Eli William, Stophal Burkett, and Thomas Brook, be a committee to represent this county to carry into execution, the association agreed on by the American Continental Congress, and that any five have power to act.

"*Resolved*, That Charles Beatty, Thomas Sprigg Wootton, John Hanson, Thomas Bowles, Casper Shaaff, Thos. Price, Baker Johnson, Philip Thomas, George Murdock, Alexander C. Hanson, Thomas Cramphin, Jun., William Bayley, Jun., Evan Thomas, Richard Brook, Thomas Johns, Walter Smith, William Deakins, Jun., John Murdock, Bernard O'Neal, John Stull, Samuel Beall, Jun., James Smith, Joseph Chapline, Joseph Sprigg, Charles Swearengen, Rich. Davis, Jonathan Hager and Joseph Perry, be a committee of correspondence for this County, and that any five have power to act.

"*Resolved*, That Charles Beatty, Henry Griffith, Thos. Sprigg Wootton, Jacob Funk, Evan Thomas, Richard Brook, Upton Sheredine, Baker Johnson, Thos. Price, Joseph Chapline and James Smith, attend the Provincial meeting on the 21st instant, according to appointment, and that any five have full power to represent and act for this County."

At a meeting of the inhabitants of Charles County, "qualified to vote for representatives," held at Port Tobacco, on the 18th of November, Samuel Hanson, Esq., was unanimously chosen chairman, and the following resolutions adopted:

"*Resolved*, That Walter Hanson, William Smallwood, Josias Hawkins, Francis Ware, Joseph H. Harrison, Thomas Thornton, Isaac Campbell, John McPherson, Henry Fendall, Thomas Stone, George Dent, G. R. Brown, Daniel Jenifer, Samuel Love, John Dent, James Craik, Robert T. Hooe, James Key, Thomas Hanson Marshall, Zephaniah Turner, Kenelm T. Stoddart, Thomas Marshall, Peter Dent, Richard Clagett, Richard Speake, Ignatius Luckett, Francis Mastin, Burdet Hamilton, John Keybert, Reuben Dye, Henry Davis, Warren Dent, William Winter, Jun., Gerard Fowke, William McConkie, Richard Barnes, Richard R. Reeder, Samuel Stone, Jun., John H. Stone, Robert Sennett, Gerrard B. Canseen, George C. Smoot, John Marshall, Joseph Joy, Thomas Harris, Jonathan Yates, Jezreel Penn, Moses Hobart, Edward Smoot, Stephen Compton, Theophilus Yates, John Brue, Samuel Jones, Edward Warren, James Maddox, James Campbell, Benjamin Philpot, Walter Winter, John Parnham, Samuel Turner, Hezekiah Dent, William Compton, Zachariah Chunn, Charles S. Smith, Robert Young, Joseph Andeson, Henry S. Hawkins, John Hanson, youngest, Bennett Dyson, Benjamin Fendall, Samuel Hanson, youngest, Notley Maddox, George Keech, George Dent, Jun., John Stone, Walter H. Jenifer, John N. Knott, Francis B. Franklin, Alexander McPherson, Jun., Thomas McPherson, John McPherson, William Hanson, Benjamin Cawood, Jun., Charles Mankin, Belain Posey, John Muscheet, Haskins Hanson, Walter Hanson, Jun., John B. Meeke, and Pearson Chapman, be a committee to represent and act for this County, to carry into execution the association agreed on by the American Continental Congress, and that any seven have power to act.

"*Resolved*, That Samuel Hanson, Walter Hanson, Dan. Jenifer, Thomas Stone, Robert T. Hooe, James Craig, James Key, Walter Hanson Jenifer, John H. Stone, and Zephaniah Turner, be a committee of correspondence for this county, and that any five have power to act.

"*Resolved*, That it is the sense of this meeting, that Samuel Hanson, William Smallwood, Josias Hawkins, Francis Ware, Jos. H. Harrison, Thomas Stone, Daniel Jenifer, John Dent, George Dent, Robert T. Hooe, Samuel Love, and Thomas Hanson Marshall, ought to attend the next provincial meeting on the 21st instant, and have full power to represent and act for this county."

At a meeting in Upper Marlborough of a great number of respectable freeholders and others of Prince George's County, "qualified to vote for representatives," John Rogers, Esq., was chosen moderator, and the following

persons were nominated and appointed a committee to carry into execution, within the said county, the Association of the American Continental Congress, to wit:

"Richard Duckett, Junior, Thomas Gantt, Senior, Colonel Joshua Beall, William Deakins, Senior, Abraham Boyd, Walter Bowie, Jonathan Slater, William Berry, Bazil Waring, the third; Thomas Williams, Walter Williams, Thomas Sprigg, Junior, George Lee, John Addison, Enoch Magruder, John Brown, Patrick Beall, John Low, Ignatius Wheeler, Luke Marbury, Nathaniel Newton, John Beall, James Hawkins, William Lyles, Junior, Hezekiah Wheeler, Richard Dent, Doctor William Beanes, Thomas Dent, George Fraser Hawkins, Jonathan Burch, Junior, Thos. Trueman, John Perry, William Magruder, Levin Coventon, Captain Jeremiah Belt, Thomas Morton, Senior; James Trueman, Thomas Gantt, Junior; John Cooke, Esq.; Doctor Richard Brooke, Doctor Leonard Holleday, Truman Skinner, Allen Bowie William Bowie, William Newman Dorsett, Robert Bowie, William Greenfield, Mathew Eversfield, David Crauford, John Rogers, Esquire; Humphrey Belt, William Beanes, Senior; Addison Murdoch, Samuel Hepburn, Nathaniel Magruder, Edward Sprigg Osburn Sprigg, John Hepburn, Esquire, John Contee, Robert Whitaker, Charles Burgess, William Loch Weems, Benjamin Berry, Senior, Tobias Belt, Robert Tyler, Richard Duckett, Senior. Edward Hall, Son of Henry, Barrick Duckett, Jeremiah Magruder, Isaac Lansdale, James Mullikin, Thomas Boyd, Marsh Marreen Duvall, Doctor Robert Pottinger, Captain James Crow, Samuel Snowden, Thomas Snowden, William Hall, Daniel Clarke, Joshua Clarke, Benjamin Harwood, Nicholas Watkins and Benjamin Hall, son of Benjamin. And it was resolved that any seven of these have power to act. It was further resolved that the following persons be a committee of Correspondence for the same County to wit: Doctor Richard Brook, John Rogers, Esquire, Captain William Bowie, David Crawford, John Cook, Esquire, John Contee, Addison Murdock, John Hepburn, Esquire, Robert Tyler, Josias Beall, Osborn Sprigg, Richard Duckett, Junior, Mathew Eversfield and Captain Joshua Beall. And it was also resolved, that the following persons to wit: Doctor Richard Brooke, Josias Beall, Robert Tyler, John Rogers, Esquire, Joshua Beall, William Bowie, Addison Murdock, Walter John Hepburn, Esquire, Robert Tyler, Josias Beall, Osburn Sprigg, Richard Duckett, Junior, Mathew Eversfield, and Captain Joshua Beall.

"And it was also resolved, that the following persons, to wit: Dr. Richard Brooke, Josias Beall, Robert Tyler, John Rogers, Esq., Joshua Beall, William Bowie, Addison Murdock, Walter Bowie, Thomas Gantt, Jr., George Lee, Osburn Sprigg, Edward Sprigg, and David Crawford, be a committee to attend at any Provincial convention to be held at Annapolis; and that the said committee have authority to vote in the said convention for delegates to attend at a Congress to be held at Annapolis; and that the said committee have authority to vote in said convention for delegates to attend at a Congress to be held at Philadelphia on the tenth of May next, and enter into all such resolutions which the said Provincial Convention may judge necessary and expedient; and ordered that the foregoing proceedings be published in the Maryland *Gazette*.

"Signed Per Order,

"HUGH LYON, *Clerk*."

At a meeting of the freeholders and other inhabitants of Baltimore County and Baltimore Town, "qualified by law to vote for representatives," held in pursuance of notice given for that purpose, at the court-house, on Saturday, 12th November, 1774—Andrew Buchanan, Esq., chairman, and R. Alexander, clerk:

"The inhabitants proceeded to make choice of a committee for the purpose mentioned in the 11th resolve of the Continental Congress, and thereupon the following gentlemen were chosen:

"For Baltimore Town—Andrew Buchanan, Robert Alexander, William Lux, John Moale, John Merryman, Richard Moale, Jeremiah Townley Chase, Thomas Harrison, Archibald Buchanan, William Buchanan, William Smith, James Calhoun, Benjamin Griffith, Gerald Hopkins, William Spear, John Smith, Barnet Eichelberger, George Woolsey, Hercules Courtenay, Isaac Griest, Mark Alexander, Samuel Purviance, Jun.; Francis Saunderson, John Boyd, George Lindenberger, Philip Rodgers, David McMachen, Mordecai Gist, John Deaver and Isaac Vanbibber.

"Patapsco Lower Hundreds—Capt. Charles Ridgely and Thomas Sollers.

"Patapsco Upper—Zachariah McCubbin, Charles Ridgely, son of William, and Thomas Lloyd.

"Back River Upper—Samuel Worthington, Benjamin Nicholson, Thomas Cockey Dye, John Cradock, Darby Lux and William Randall.

"Back River Lower—J. Mercer and Job Garretson.

"Middle River Upper—Nicholas Merryman and William Worthington.

"Middle River Lower—Henry Dorsey Gough and Walter Tolley, senior.

"Soldiers' Delight—George Risteau, John Howard, Thomas Gist, senior; Thomas Worthington, Nathan Cromwell and Nicholas Jones.

"Middlesex—Thomas Johnson and Mayberry Helmes.

"Delaware—John Welsh, Rezin Hammond and John Elder.

"North—Jeremiah Johnson and Elijah Dorsey.

"Pipe Creek—Richard Richards, Frederick Dicker and Mordecai Hammond.

"Gun Powder Upper—Walter Tolley, Junior; James Gettings and Thomas Franklin.

"Mine Run—Dixon Stansbury, Junior, and Josias Slade."

On the 21st of November, 1774, fifty-seven delegates, chosen by several of the counties of Maryland again assembled in convention at Annapolis, before whom the delegates appointed by the last convention to represent the province in the Continental Congress laid their proceedings, which were unanimously approved, and every person in the province was exhorted strictly and inviolably to adhere to the association. It was also recommended "that, during the present time of public calamity, balls be discontinued." On the 25th, the convention adjourned to the 8th of December, to give time to the counties not yet represented to send their delegates, as on that day "matters of very great importance to this province will be taken into consideration."

On the day appointed eighty-five members, representing all the counties, met at Annapolis and organized by the selection of John Hall, of Anne Arundel County, chairman. After a harmonious session of four days, the convention adopted a series of resolutions, among which were the following:

"To increase our flocks of sheep, and thereby promote the woolen manufacture in this province, *Resolved*, That no person ought to kill any lamb dropt before the first day of May yearly, or other sheep, after the first day of January next, under four years of age.

"To increase the manufacture of linen and cotton, *Resolved*, That every planter and farmer ought to raise as much flax, hemp, and cotton, as he conveniently can; and the cultivation thereof is particularly recommended to such inhabitants of this province,

whose lands are best adapted to that purpose. And, *Resolved*, That no flax-seed of the growth of the present year, ought to be purchased for exportation, after the twelfth day of this month.

"*Resolved, unanimously*, That if the late acts of parliament, relative to the Massachusetts bay, shall be attempted to be carried into execution by force in that colony, or if the assumed power of parliament to tax the colonies shall be attempted to be carried into execution by force in that or any other colony, that, in such case this province will support such colony to the utmost of their power.

"*Resolved, unanimously*, That a well regulated militia, composed of the gentlemen, freeholders, and other freemen, is the natural strength and only stable security of a free government, and that such militia will relieve our mother country from any expense in our protection and defence; will obviate the pretence of a necessity for taxing us on that account, and render it unnecessary to keep any standing army (ever dangerous to liberty,) in this province: And, therefore, it is recommended to such of the said inhabitants of this province as are from sixteen to fifty years of age, to form themselves into companies of sixty-eight men; to choose a captain, two lieutenants, an ensign, four sergeants, four corporals and one drummer, for each company; and use their utmost endeavors to make themselves masters of the military exercise: That each man be provided with a good firelock and bayonet fixed thereon, half a pound of powder, two pounds of lead, and a cartouch-box, or powder-horn, and a bag for ball, and be in readiness to act on any emergency.

"*Resolved, unanimously*, That it is recommended to the committees of each county to raise by subscription, or in such other voluntary manner as they may think proper, and will be most agreeable to their respective counties, such sums of money as, with any moneys already raised, will amount to the following sums in the respective counties, to wit:

In St. Mary's county	£600	In Worcester	533
Charles	800	Somerset	533
Calvert	366	Dorchester	480
Prince George's	833	Caroline	358
Anne Arundel	866	Talbot	400
Frederick	1333	Queen Anne's	533
Baltimore	933	Kent	566
Harford	466	Cecil	400
Total			£10,000

"And that the committees of the respective counties lay out the same in the purchase of arms and ammunition for the use of such county, to be secured and kept in proper and convenient places, under the direction of the said committees."

After directing the several counties of the province to choose deputies to attend "a provincial meeting of deputies," to be held in the City of Annapolis, on Monday, the 24th of April, 1775, and recommending that contributions from the several counties "for supplying the necessities, and alleviating the distress of our brethren at Boston" be continued, they

"*Resolved, unanimously*, That the honourable Matthew Tilghman and John Hall, Samuel Chase, Thomas Johnson, jun., Charles Carroll of Carrollton, Charles Carroll, barrister, and William Paca, Esquires, or any three or more of them, be a committee of correspondence for this province.

"*Resolved, unanimously*, That the honourable Matthew Tilghman, and Thomas Johnson, jun., Robert Goldsborough, William Paca, Samuel Chase, John Hall and Thomas

Stone, Esquires, or any three or more of them, be delegates to represent this province in the next continental congress, and that they, or any three or more of them, have full and ample power to consent and agree to all measures which such congress shall deem necessary and effectual to obtain a redress of American grievances; and this province bind themselves to execute, to the utmost of their power, all resolutions which the said congress may adopt.

"*Resolved, unanimously*, That it is recommended to the several colonies and provinces, to enter into such or the like resolutions for mutual defence and protection, as are entered into by this province.

"As our opposition to the settled plan of the British administration to enslave America, will be strengthened by an union of all ranks of men in this province, we do most earnestly recommend, that all former differences about religion or politics, and all private animosities and quarrels of every kind, from henceforth cease and be forever buried in oblivion; and we entreat, we conjure every man, by his duty to God, his country, and his posterity, cordially to unite in defence of our common rights and liberties."

The War of the Revolution having thus begun, these resolutions did not fail to command general observance, and soon the most judicious measures were adopted to meet the coming struggle. All classes of citizens enlisted in the common defence,[1] and the appeal of the provincial convention met a universal response. In all the counties committees of observation were appointed, whose duty it was to inquire into and report all violations of the resolves of the convention or congress; and committees of correspondence were organized who were empowered to convene county meetings and were charged with the duty of keeping up a correspondence with the other colonies. Military companies were formed; arms and ammunition collected; liberty was the watchword; and soldiers were gathering for defence.

At a meeting of the inhabitants of Charles County, at Port Tobacco Town, on the 2d day of January, 1775, in consequence of notice by the committee, Captain George Dent, chairman, John Gwinn, clerk:

"The proceedings of the last Provincial Convention, held at the City of Annapolis, were read, considered, and unanimously approved.

"*Resolved, unanimously*, That Captain George Dent, Samuel Hanson, William Smallwood, Josias Hawkins, Francis Ware, Joseph H. Harrison, Thomas Stone, Daniel Jenifer, Robert T. Hooe, John Dent, Samuel Love, Thomas Hanson Marshall, and Philip Richard Fendall, be, and are by this meeting appointed Deputies to represent this county in the next provincial Convention, to be held at the City of Annapolis, and that any three or more of them have power and authority to act for and bind this County.

[1] A writer, in a letter from Annapolis, dated December 31, 1774, says: "In compliance with the recommendation of the deputies of the several counties of this province, at their late convention, to such of the gentlemen, freeholders, and other freemen of this province, as are from sixteen to fifty years of age, to form themselves into companies, and to choose their officers, on Saturday, the 17th instant, a number of the citizens met, formed themselves into two companies, and chose their officers agreeable to the recommendation. The companies are composed of all ranks of men in this city; gentlemen of the first fortunes are common soldiers. This example, it is not doubted, will be followed by every town and county in this province. It is said that there are a sufficient number of citizens to form another company, which, it is hoped, will be immediately done. And this day, the inhabitants of Elk Ridge Hundred, in Anne Arundel county, met, formed themselves into a company, and chose their proper officers, being of opinion that a well-regulated militia will contribute to the preservation of American liberty."

"*Resolved*, That a general subscription, to be managed and conducted by gentlemen in each hundred of this county, will be a most agreeable and effectual method to collect what remains to be made up of the sum of money appointed to be raised in this County, by the last Provincial Convention.

"*Resolved, therefore*, That the following gentlemen do forthwith open subscriptions in the respective hundreds for which they are appointed, to be offered to every free person in each hundred, and subscription taken, viz.:

"Piccawaxen Parish—Mr. Samuel Love in the Lower Hundred, and Captain George Dent in the Upper Hundred.

"Port Tobacco Parish—Mr. Josias Hawkins, and Captain Francis Ware, in the East Hundred, Mr. Samuel Hanson, Jr., in the Upper Hundred, Mr. Daniel Jenifer in Cedar-point Hundred, and Mr. Robert T. Hooe, in Port Tobacco Town.

"Durham Parish—Captain Joseph H. Harrison, in the Lower Hundred, and Mr. William Smallwood in the Upper Hundred.

"King George Parish—Captain John Dent, for the part within this County.

"Trinity Parish—Mr. Belain Posey in the West Hundred, Doctor John Parnham, in the East Hundred, Mr. Alexander McPherson in Bryantown Hundred, and Mr. Robert Young, in Benedict Hundred.

"*Resolved*, That it is the duty of the said gentlemen to note, and return to the committee of this County, a list of such persons (if any there be) who are able, and on application refuse to subscribe, that their names and refusal may be recorded in perpetual memory of their principles.

"*Resolved*, That the said gentlemen do, as soon as possible, collect the subscriptions to them respectively made, and pay the same to Philip Richard Fendall, Esquire, Treasurer, to be applied by the committee of this County to the purpose mentioned in the tenth resolve of the last Provincial Convention.

"*Resolved*, That the gentlemen appointed to take subscriptions for the purpose aforesaid, do collect the subscriptions already made to the Town of Boston, and also do obtain such additional subscriptions for the relief of the brave sufferers in that distressed Town, as can be got, and that the whole may be made in readiness to be sent as soon as possible.

"It is recommended by this meeting that the inhabitants of this County, in forming themselves to their respective Hundreds, as much as can with convenience be done, the following gentlemen, to wit: Philip Richard Fendall, George Dent, Jun., Daniel Jenifer Adams, William Harrison, John Skelton, John Lancaster, James Neale, Walter Rye, Thomas Sims, Joshua Saunders, Henry Boarman, John Craig, Robert Gill, Jun.; John Moran, and George Tubman, are, by this meeting, added to the committee of Observation for this County.

"Ordered, that these proceedings be published in the Maryland *Gazette*.

"JOHN GWINN, *Clerk*."

At a large meeting of the inhabitants of Anne Arundel County, including the citizens of Annapolis, on Monday, the 16th of January, 1775, the following officers were chosen and proceedings adopted, Charles Carroll, Esq., barrister, chairman, Mr. Isaac McHard, clerk:

"The association agreed on by the American Continental Congress, and the proceedings of the deputies of the several Counties of this province, at their late Provincial Convention, were read and approved; and thereupon it is resolved:

"I. That this county will strictly and inviolably observe and carry into execution the said association, and the several Resolves of the late Provincial Convention.

"II. That Charles Carroll, Barrister; B. T. B. Worthington, Thomas Johnson, Junior; William Paca, John Hall, Mathias Hammond, Samuel Chase, Charles Carroll, of Carroll-

ton; Rezin Hammond, Charles Wallace, Richard Tootell, Thomas Harwood, Junior, John Davidson, John Brice, John Bullen, James Brice, Philemon Warfield, Nicholas Worthington, Thomas Jennings, Allen Quynn, William Williams, James Tootell, Thos. Dorsey, John Hood, Junior, John Dorsey, Philip Dorsey, Thomas Sappington, Ephraim Howard, Caleb Dorsey, Junior, Richard Stringer, Reuben Meriweather, Charles Warfield, Edward Gaither, Junior, Greenbury Ridgely, Ely Dorsey, John Burgess, Michael Pue, Edward Norwood, James Howard, Henry Ridgely, Wm. Hammond, Thomas Hobbs, John Dorsey, son of Michael; Brice Howard, Edward Dorsey, son of John; Amos Davis, Elisha Warfield, John Dorsey, son of Severn John; Samuel Dorsey, son of Caleb; Joshua Griffith, Vachel Howard, Charles Hammond, son of John; Stephen Stewart, John Weems, Thomas Harwood, Thomas Belt, Stephen Watkins, John Steward, Samuel Lane, Thomas Tillard, Thomas Tongue, Marmaduke Wyvil, John Thomas, Joseph Galloway, Samuel Harrison, Samuel Galloway, Robert Brown, Thomas Deale, William Tillard, David Weems, Edward Tillard, Samuel Chew, Thomas Sprigg, Thomas Watkins, Thomas Hall, Gerard Hopkins, Junior, Richard Harwood, Junior, Thomas Watkins, Junior, Richard Burgess, Thomas N. Stockett, Elijah Kobosson, Thomas Mayo, James Kelso, George Watts, David Kerr, William Buchanan, William Gambrill, and Richard Cromwell, or any seven or more of them be, and they are hereby appointed a committee of observation for this County.

"III. That the said committee of observation have full power to represent and act for this County untill the second Tuesday in October next, to carry into execution within this County the said association, and the several resolves of the late Provincial Convention, without favour or partiality; that the said committee, or a majority of any fifty, or greater number of the members thereof, have power and authority to nominate and appoint, by way of ballot, thirteen of the said committee, and any seven or more of that number, Deputies to represent this County in any Provincial Convention that may be held before the second Tuesday in October next, with ample power to such Deputies to consent and agree, on behalf of this county, to all measures which such Provincial Convention may deem necessary and Effectual to obtain a redress of American Grievances; and in case any of the said Deputies shall not attend, or die, or refuse to act, from time to time to nominate by ballot, one other of the said committee in the place of such Deputy who shall not attend, or die, or refuse to act; and the said committee, or a majority of any fifty or greater number of the members thereof, are also empowered to nominate by ballot seven of the said Committee; and any three, or more, of that number, a committee of Correspondence for this County; and in case any of the said committee of Correspondence shall not attend, or die, or refuse to act, to appoint by ballot, one other of the said committee, in the room of such person who shall not attend, or die, or refuse to act, and such Committee of Correspondence, or any five of them, are authorized to call a meeting of this County as often as they may think necessary.

"IV. That every inhabitant of this County, who, on personal application by any one of the aforesaid Committee of Observation, or by any person appointed by them, shall refuse to contribute, before the 1st day of February next, to the purchase of arms and ammunition, for the use of this county, is, and ought to be, esteemed an enemy to America; and that the name of every person who shall refuse to contribute, on such application, be published by the said Committee in the Maryland *Gazette*.

"Ordered, that these proceedings be published in the Maryland *Gazette*.

"ISAAC McHARD, *Clerk*."

At a meeting of a number of the freeholders and other inhabitants of Prince George's County, held on Monday, the 16th of January, in Upper Marlborough, for the purpose of chosing a committee of inspection, etc., John Rogers, Esquire, was chosen chairman:

"The proceedings of the convention, held at Annapolis in November last, was continued and the following persons added thereto, viz.: Colonel Joseph Sim, Thomas Contee, Benj. Hall, son of Francis; Richard Bennet Hall, Clement Hill, Clement Hill, Jun., Thos. Sim Lee, Stephen West, Basil Waring, Senior, Ignatius Digges, Notley Young, William Digges, William Digges, Junior, John Hill, Henry Hill, George Digges, Fielder Bowie, Edward Boteler, Henry Roger, John Fendall Beall, William Turner Wootton, Senalleton Wootton, Edward Edelin, Marsham Waring, Thomas Clagett, (Piscataway), John Baynes, John Hawkins Lowe, John Harrison, John Read Magruder, Benjamin Brookes, James Drane, Henry Brookes, Richard Carns, Jacob Green, John McGill, Thos. McGill, Leonard Brooke, Captain Henry Brooke, Doctor Joseph Digges, Thomas Duckett, Henry Humphrey, Charles Eversfield, Robert Wade, Junior, Barton Lucas, Henry Boone, Edward Digges, Nicholas Brooke, Henry Hill, Jun., Walter Hoxton, Benj. Wales, John Duvall, Clement Wheeler, Charles Haggart, Clement Hill, son of John, Benjamin Berry, Jun., Frank Leeke, Richard Contee, Jacob Duckett, Alexander Symmer, John Smith Brookes, Robert Waters, Arnold Waters, Richard Henderson, William Lydebotham, Alexander Howard Magruder, Christopher Lowndes, Robert Dick, James Collings, John Beanes, Robert Darnall, Jeremiah Riely, Richard Queen, Joseph Pope, Elisha Berry, Anthony Smith, James Smith, William Morton, John Boone, Jun., Zacariah Berry, Daniel Stephenson, James Miller, Judson Coolidge, Christopher Richmond, George Naylor, Junior, Henry Waring and John Dorsett. The committee of correspondence chosen last November, was also continued, and the following gentlemen added thereto, viz.: Thomas Sim Lee, Joseph Sim, Thos. Contee, Stephen West, Clement Hill, Senior, Thomas Gantt, Jun., Ignatious Digges and Benjamin Hall, son of Francis. The following gentlemen were chosen to attend the next Provincial Meeting at Annapolis, viz.: Doctor Richard Brooke, Josias Beall, Robert Tyler, John Rogers, William Bowie, Walter Bowie, George Lee, Thomas Gantt, Junior, Colonel Joshua Beall, Osburn Sprigg, David Crawford, Colonel Joseph Sim, Thomas Contee, Benjamin Hall, son of Francis, Luke Marbury, Stephen West, John Contee and Thomas Sim Lee; and it was

"*Resolved*, That any five or more of them have power to act. The following gentlemen, viz.: Addison Murdock and Edward Sprigg, chosen to attend the last Provincial meeting, were discontinued at their own request, the state of their health not permitting them to attend. It was recommended to the gentlemen of the Committee of inspection for this County, to use the utmost diligence to procure subscriptions, to collect the same as soon as possible, and pay the money into the hands of Messrs. John Rogers, David Crawford and Edward Sprigg, of the Committee of Correspondence, and

"*Resolved*, That the said Committee, or a majority of them, of which the above gentlemen shall be a part, have authority to lay out the said money in the purchase of arms and ammunition, according to a resolution of the last Provincial Convention, and that fair accounts of the expenditure shall be kept and ready to be laid before the General Committee when required.

"*Ordered*, That a sufficient number of subscription papers be printed and forwarded to the several committee-men appointed for the said County, in order to forward the said subscription, and that the committee of correspondence take care to procure the said papers and pay for the same out of the subscription money.

"*Ordered*, That the proceedings of this day be published in the Maryland *Gazette*."

At a meeting of the inhabitants of Baltimore County, "qualified to vote for representatives," at the court-house in Baltimore Town, on Monday, the 16th day of January, 1775, Captain Charles Ridgely, chairman, Jeremiah Townley Chase, clerk.

"The proceedings of the late Provincial Convention were read, considered, and unanimously approved.

"*Resolved, unanimously*, That every member of this meeting will, and every person residing in this County ought strictly and inviolably to observe and execute the resolutions and recommendations of the late Provincial Convention.

"*Resolved, unanimously*, That Captain Charles Ridgely, Thos. Cockey Deye, Walter Tolley, Jun., Charles Ridgely, son of John, Robert Alexander, Samuel Purviance, Benjamin Nicholson, Darby Lux, Jeremiah Townley Chase, George Risteau, Thomas Harrison, John Moale, Andrew Buchanan, William Lux and Samuel Worthington be delegates to represent this County in the next Provincial Convention; and that they, or any of them that shall attend, have full and Ample power to consent and agree to all measures that the said Provincial Convention may deem necessary and expedient to obtain a redress of American grievances.

"*Resolved*, That the following gentlemen be added to the committee of observation appointed on the 12th of November last:

"Patapsco Lower Hundreds—Charles Rogers, John Gorsuch, William McCubbin and William Williamson.

"Patapsco Upper—James Croxall, John Elliott and Edward Norwood.

"Back River Upper—John Cockey, Edward Talbot, Joshua Stevenson, Edward Cockey, Ezekiel Towson.

"Middle River Upper—Benjamin Rogers, Robert Cummings, Benjamin Buck, Joshua Hall, Gist Vaughan and Benjamin Merryman.

"Back River Lower—George Matthews and John Buck.

"Middle River Lower—Moses Galloway, George Goldsmith Presbury, Abraham Britton and Nicholas Britton.

"Soldier's Delight—Thomas Cradock, Charles Walker, Samuel Owings, Junior, Christopher Randall, Junior, and Benjamin Wells.

"Middlesex—Jacob Myers, Richard Cromwell and Thomas Rutter.

"Delaware—Christopher Owings, Benjamin Laurence and Nicholas Dorsey, Jun.

"North—John Hall and Stephen Gill, Junior.

"Pipe Creek—John Showers and George Everhart.

"Gunpowder, Upper—Samuel Young, Jesse Bussey, Thomas Gassaway Howard, James Bosley, William Cromwell and Zaccheus Barrett Onion.

Mine Run—Edward Stansbury, John Stevenson, Daniel Shaw, William Slade, Jun., Joseph Sutton and John Stewart.

"Baltimore Town—James Sterret, Charles Ridgely, William Goodwin, Doctor Charles Wiesenthal and Thomas Ewing.

"*Resolved*, That subscriptions be opened in each hundred, under the direction of the Committee, and that the same be paid into the hands of a treasurer to be appointed by the contributors in each hundred, and be laid out agreeably to the resolve of the Provincial Convention.

"*Resolved*, That the name of every person who shall, upon personal application made to him by the committee, or any person under their appointment, refuse or decline to subscribe or contribute, for the purchase of Arms and Ammunition, be taken down, and laid before the Committee, at the next meeting after such refusal, together with the reasons of such refusal.

"*Resolved*, That the forming of the inhabitants of this County into Companies, and their using their utmost endeavors to make themselves masters of the Military Exercise, and their resisting, with force, every illegal attempt upon their liberty and property, is not repugnant to the oaths of allegiance.

"*Resolved, unanimously*, That subscriptions be opened in each hundred in this County, under the direction of the Committees of the respective Hundreds, for raising contributions to supply the necessities and alleviate the distress of our oppressed brethren of Boston.

"*Resolved*, That William Goodwin, Richard Moale, William Buchanan and William Lux be, and are hereby empowered to purchase three thousand pounds of Powder, and twelve thousand pounds of Lead, on the credit of the subscriptions for the use of this County.

"*Resolved*, That the Committee meet at the Court House, on Wednesday, the 8th of February next, to produce their several subscriptions.

"*Ordered*, That these proceedings be published in the Maryland *Gazette*, the Baltimore *Journal*, and in handbills, to be circulated through the County.

"Signed, per Order, "J. T. CHASE, *Clerk*."

At a meeting of the inhabitants of Frederick County, at the court-house, on Tuesday, the 24th of January, 1775, John Hanson, Esq., Chairman, Archibald Boyd, Clerk.

"The Association and Resolves of the American Congress, and the proceedings of the last Provincial Convention, were read and unanimously approved:

"I. *Resolved*, That Messrs. Charles Beatty, Henry Griffith, Thomas Sprigg Wootton, Jacob Funk, Nathan Magruder, Richard Brooke, Zadock Magruder, William Baker, Thomas Cramphin, Junior, Alexander Bowie, Junior, Williams Deakins, Junior, John Murdock, Thomas Johns, Bernard O'Neal, Brooke Beall, Edward Burgess, Charles G. Griffith, Henry Griffith, Junior, William Bayly, Junior, Samuel Wade Magruder, Nathaniel Offutt, Archibald Orme, Joseph Threlkeld, Walter Smith, Thomas Beall, of George, Richard Crabb, William Luckett, William Luckett, Junior, Greenbury Griffith, Samuel Griffith, John Hanson, Thomas Price, Thomas Bowles, Conrad Grosh, Thomas Archley, Jonathan Wilson, Francis Deakins, Casper Schaaff, Peter Hoffman, George Scott, Baker Johnson, Philip Thomas, Alexander C. Hanson, Archibald Boyd, Arthur Nelson, Andrew Scott, George Stricker, Adam Fisher, Ludwick Weltner, Van Swearingen, William M. Beall, Jacob Young, Peter Grosh, Æneas Campbell, Elias Bruner, Frederick Kemp, John Haas, John Remsburg, Thomas Hawkins, Upton Sheredine, Basil Dorsey, John Lawrence, Charles Warfield, Ephraim Howard, Joseph Wells, David Moore, Joseph Wood, Norman Bruce, William Blair, David Shriver, Roger Johnson, Henry Cock, Robert Wood, William Allbaugh, Jacob Mathias, Henry Crawles, Jacob Ambrose, Daniel Richards, William Winchester, Philip Fishburn, William Hobbs, Thomas Cresap, Thos. Warren, Thomas Humphreys, Richard Davis, Junior, Charles Clinton, James Brather, George Dent, James Johnson, James Smith, Joseph Chapline, John Stull, Samuel Beall, Junior, William Baird, Joseph Sprigg, Christian Orendorff, Jonathan Hager, Conrad Hogmire, Charles Swearingen, Henry Snavely, Richard Davis, Samuel Hughes, Joseph Perry, Joseph Smith, Thomas Hog, Thomas Prather, William McLary, John Swan, Eli Williams, Christopher Bucket, Thomas Brooke, Michael Raymer, Nicholas Tice, John Adlum, Samuel Harwood, Bartholomew Booth, Jacob Boyer, Michael Grosh, Jacob Miller, Andrew Bruce, John Darnall, John Remsburg, William Darrin, John Key, John Beall, John McCallister, Charles Beall, Lewis Kemp, John Stoner, Thomas Beatty, Thomas Gilbert, Abraham Hoff, P. Henry Thomas, Jacob Good, Westel Ridgely, Samuel Carrick, Abraham Hoster, Baltzer Kelcholumer, Samuel Emmet, John Cary, Christopher Edelin, Amos Riggs, John Grimber, Leonard Smith, Nicholas Hower, Richard Northcraft, John Herriot, Richard Smith, Zachariah Ellis, Azel Waters, Martin Cassil, James Johnson, George Bare, Benjamin Johnson, and Abraham Faw, be a committee of observation, with full powers to prevent any infraction of the said association, and to carry the Resolves of the American Congress and of the Provincial Convention into execution; that any seventy-five of those gentlemen have power to act for the County, and any five in each of the larger districts be authorized to act in any matter that concerns such Division only.

"II. *Resolved*, That Charles Beatty, Thos. Sprigg Wootton, John Hanson, Thomas Bowles, Casper Schaaff, Thomas Price, Baker Johnson, Philip Thomas, George Murdock, Alexander C. Hanson, Thomas Cramphin, Jun., William Bayly, Junior, Evan Thomas, Richard Brooke, Thomas Johns, Walter Smith, William Deakins, Junior, John Murdock, Bernard O'Neal, John Stull, Samuel Beall, Junior, James Smith, Joseph Chapline, Joseph Sprigg, Charles Swearingen, Richard Davis, Jonathan Hagar and Joseph Perry, who were appointed at the last meeting of this County a committee of Correspondence, be hereby continued, and that the duration of their authority be limited to the second Tuesday in October next.

"III. *Resolved*, As the most convenient and effectual method of raising the sum of $1,333, being this County's proportion of the sum of $10,000 which the provincial Convention has appointed to be raised for the purchase of Arms and Ammunition, that a subscription be immediately opened in every part of the County, and that the following gentlemen be appointed to promote such subscriptions in their several Hundreds:

"For Salisbury Hundred—Jonathan Hagar, Henry Snavely and Jacob Sellus.

"For Upper Kitocton—Peter Bambridge, Benjamin Eastburn, Casper Smith and Thomas Johnson.

"For the lower part of Newfoundland—Edward Burgess, Walter Beall and Joseph Perry.

"For Shipton.—Thomas Cresap, Moses Rawlings and Richard Davis, Junior.

"For Georgetown—William Deakins, Thomas Johns and Walter Smith.

"For Sharpsburgh—Joseph Chapline and Christian Orendorff.

"For Lower part of Potomack Hundred—William Bayly, Samuel Wade, Magruder, Andrew Hugh and Charles Jones.

"For Tom's Creek Hundred—William Blair, William Sheales and Benjamin Ogle.

"For Kitocton Hundred—George Striker, William Luckett, Junior, and Westel Ridgely.

"For Upper Antietam Hundred—Jacob Funk, Conrad Hogmire, Joseph Perry and John Ingram.

"For Linton Hundred—Martin Johnson and Joseph Flint.

"For Cumberland Hundred—Charles Clinton.

"For Middle Monocacy Hundred—Thomas Beatty, Matthias Ringer, Christopher Stull and T. Fleming.

"For Rock Creek Hundred—Thomas Cramphin, Zadock Magruder, W. Baker and Allen Bowie.

"For Sugar Loaf Hundred—Francis Deakins, R. Smith, L. Plummer, Z. Waters and Z. Linthicum.

"For Burnt Woods Hundred—Ephraim Howard, Charles Warfield, David Moore, John Lawrence, Henry Crawle and William Hoobs.

"For Lower Antietam Hundred—Thomas Hog, Henry Butler and Thomas Cramphin.

"For Linganore Hundred—John Beall, Charles G. Griffith, Nicholas Hobbs, Bazil Dorsey and William Duvall.

"For Conococheague—David Jones, Isaac Baker and Jacob Friend.

"For Piney Creek Hundred—Jacob Good, John McCallister, Samuel McFarren, Abraham Heiter and John Key.

"For Lower Monocacy Hundred—Lewis Kemp, John Darnall, Thomas Nowland and Leonard Smith.

"For Northwest Hundred—Samuel Harwood, Peter Becraft, and Richard Beall, of Samuel.

"For Marsh Hundred—Charles Swearingen, Eli Williams, James Smith, Richard Davis, Senior, and George Swimley.

"For upper part of Potomack Hundred—Brooke Beall, Samuel West, Nathaniel Offutt and Alexander Clagett.

"For Seneca—Charles Perry, Richard Crabb and Gerard Briscoe.

"For Pipe Creek Hundred—Andrew Bruce, William Winchester, David Schriver and Nathaniel Norris.

"For Manor Hundred—William Beatty, Joseph Wood, Junior, Azel Waters, John Remsbury, Abraham Hoff and Valentine Greager.

"For upper part of Monocacy Hundred—Henry Cox, Roger Johnson and Richard Butler.

"For upper part of Newfoundland Hundred—Henry Griffith, Richard Brooke and Henry Gaither, Senior.

"For Elizabeth Hundred—John Stull, Otho Holland Williams, John Swan and John Rentch.

"For Fredericktown Hundred—Phil. Thomas, Thomas Price, Baker Johnson, Peter Hoffman and Ludwick Weltner.

"For Fort Frederick Hundred—Ezekiel Cox.

"For Sugar-Land Hundred—Æneas Campbell, John Fletcher, John Luckett, Alexander Whitaker and Solomon Simpson.

"The said gentlemen are instructed to apply personally, or by Deputy, to every freeman in their respective Districts, and to solicit a generous contribution. They are ordered to state accounts of the money received, and pay it to the Committee of Correspondence, which is hereby appointed to meet at Fredericktown, the 23d day of March next; and they are further ordered to report to the said Committee the names of persons (if any), who shall refuse to subscribe.

"IV. That Messrs. Thomas Johnson, William Deakins, Charles Beatty, George Murdock, John Stull, and John Swan, or any one of them, be empowered to contract, in behalf of the Committee of Correspondence, for any quantity of powder and Lead to be paid for on the said 23d day of March.

"V. In order that a Committee of Observation may be more conveniently chosen, and a more proper representation of the people may be had, the several Collectors in each Hundred are desired to give notice to those qualified by their estates to vote for Representatives, of some time and place of meeting in the Hundred, to elect members for a Committee, agreeably to the following regulation:

"When the number of taxables exceeds two hundred, and amounts not to more than four hundred, the District shall elect three members. The Collectors are ordered to return such Representatives to the Committee of Correspondence, on the said 23d day of March; the Committee, so chosen, shall then meet, and the authority of the present Committee of Observation be dissolved.

"VI. *Resolved*, That Messrs. John Hanson, Charles Beatty, Upton Sheredine, Baker Johnson, Philip Thomas, Jacob Funk, Samuel Beall, Joseph Chapline, John Stull, James Smith, Henry Griffith, Thos. Sprigg Wootton, Richard Brooke, William Deakins and Thomas Cramphin, or any five of them, shall represent this County at any Provincial Convention to be held at the City of Annapolis, before the second Tuesday of October next. A Petition from the People called Dunkers and Mennonists was read; they express a willingness freely to contribute their money in support of the common cause of America, but pray an exemption from the Military Exercise, on the score of their Religious Principles.

"*Resolved*, That this petition be referred to the consideration of the Committee to be chosen, agreebly to the fifth resolve. In the meantime it is strictly enjoined that no violence be offered to the person or property of any one, but that all grounds of complaint be referred to the said Committee.

"ARCH. BOYD, *Clerk*."

Mr. Eddis, writing from Maryland, in March, 1775, gives us a lively picture of the note of preparation for the coming crisis. He says: "From one extreme of this continent to the other, every appearance indicates approaching hostilities. The busy voice of preparation echoes through every settlement; and those who are not zealously infected with the general frenzy, are considered as enemies to the cause of liberty; and, without regard to any peculiarity of situation, are branded with opprobrious appellations, and pointed out as victims to public resentment. Very considerable subscriptions have been made in every quarter for the relief of the Bostonians; large sums have likewise been collected for the purchase of arms and ammunition; and persons of all denominations are required to associate under military regulations, on pain of the severest censure; every measure, while tending to the most fatal consequences, is eagerly and wildly pursued."

In another, of May, he says: "The universal cry is *Liberty!*" and in July, referring more particularly to the condition of Maryland, he remarks: "Government is now almost totally annihilated, and power transferred to the multitude. Speeches become dangerous; letters are intercepted; confidence betrayed; and every measure evidently tends to the most fatal extremities: the sword is drawn, and, without some providential change of measures, the blood of thousands will be shed in this unnatural contest. The inhabitants of this province are incorporated under military regulations, and apply the greater part of their time to the different branches of discipline. In Annapolis there are two complete companies; in Baltimore, seven; and in every district of this province the majority of the people are actually under arms; almost every hat is decorated with a cockade; and the churlish drum and fife are the only music of the times."[1]

In this state of public affairs, the Maryland Convention again convened at Annapolis, on the 24th of April, 1775. Matthew Tilghman, the patriarch of Maryland, was again elected chairman, and Gabriel Duvall, clerk. One hundred members were present from the several counties, who proceeded at once to make preparations for an armed resistance to the power of England. After the transaction of several unimportant matters, the convention adopted a long series of resolutions, among which they recommended the 11th of May, be observed as a day of fasting, humiliation and prayer, and—

"*Resolved, unanimously*, That all exportations from this province to Quebec, Nova-Scotia, Georgia, and Newfoundland, or any part of the fishing coasts, or fishing islands, and to the town of Boston, ought immediately to be suspended until the continental congress shall give further orders therein.

[1] A gentleman in Philadelphia, writing a letter to one in New York, dated January 25, 1775, says: "A worthy gentleman of my acquaintance from Maryland, of moderate sentiments, though one of their late Provincial Congress, informs me the Marylanders are in general mad. They are the most ignorant people that live; a moderate man dare not speak his sentiments—a person, for drinking Lord North's health, was thrown into a fire, and had near been killed. This is the genuine spirit of patriotism which these people breathe."—*American Archives*, 4th series. i., p. 1181.

"*Resolved*, That it is earnestly recommended to the inhabitants of this province, to continue the regulation of the militia, as recommended by the last provincial convention, and that particular attention be paid to forming and exercising the militia throughout this province, and that the subscriptions for the purpose by the said convention recommended be forthwith completed and applied.

"*Resolved*, That it is the sense of this convention, that the honourable Matthew Tilghman, Esq., Thomas Johnson, jr., Robert Goldsborough, Samuel Chase, William Paca, John Hall, and Thomas Stone, Esquires, the delegates of our province, or any three or more of them, do join with the delegates of the other colonies and provinces, at such time and place as shall be agreed on, and in conjunction with them, deliberate upon the present distressed and alarming state of the British Colonies in North America, and concur with them in such measures as shall be thought necessary for the defence and protection thereof, and most conducive to the public welfare. And as this convention has nothing so much at heart as a happy reconciliation of the differences between the mother-country and the British colonies in North America, upon a firm basis of constitutional freedom; so has it a confidence in the wisdom and prudence of the said delegates, that they will not proceed to the last extremity, unless in their judgments they shall be convinced that such measure is indispensably necessary for the safety and preservation of our liberties and privileges. That in the present state of public affairs, this convention is sensible, that measures to be adopted by the continental congress, must depend much upon events which may happen to arise; and relying firmly upon the wisdom and integrity of their delegates, this province will, as far as is in their power, carry into execution such measures as shall be agreed on and recommended by the general congress."

The convention adjourned on the 3d of May; in the meantime, however, on the 28th of April, they received intelligence of the conflict at Lexington and Concord, between the British regulars and provincial troops on the 19th of April. The news was carried by expresses from town to town, from committee to committee, from Massachusetts to Georgia, in twenty days. A full account reached New Haven on the 24th of April, at 9.30 A.M.; New York, April 25th, at 2 P. M.; Elizabethtown, at 7; New Brunswick, at 12 o'clock at night; Princeton, at 3 in the morning of the 26th; Trenton, at 6.30; Philadelphia, at 12; Chester, at 4 P.M.; New Castle, at 9; Baltimore, at 10 P.M. of the 27th; and Annapolis next morning at 9.30 o'clock. Thence the despatch went southward, by Alexandria, Fredericksburg, Williamsburg, Smithfield, Edenton, Beaufort, Bath, Newbern, Wilmington, Brunswick and Charleston, bearing endorsed by each committee, the time of its receipt and its departure, and the solemn injunction, "night and day to be forwarded," until it had penetrated the farthest recesses of the colonies.[1]

As the first accounts of the engagement at Lexington and Concord were very brief, the committee of correspodence of Philadelphia on the 1st of May, sent the convention a letter addressed to them by Mr. William Ellery, of the committee of correspondence of Newport, dated April 25th, giving a full account of the "bloody savage massacre." "We had hoped," remarks Mr. Ellery:

"That the dispute between Great Britain and these colonies would have been settled without bloodshed; but the Parliament of Great Britain, it seems, have

[1] Force's *Archives*, 4th series, ii., p. 266.

determined to push their iniquitous unconstitutional measures by dint of arms. The sword of civil war has been drawn by the king's troops, and sheathed in the bowels of our countrymen. May peace, with liberty, soon present the scabbard; and may Americans never be obliged again to take up arms but against a foreign foe. We hope that the union which has so remarkably taken place throughout the American colonies, may acquire, if possible, greater firmness by this unjustifiable, inhuman, murderous attack upon our countrymen; for, upon an universal, firmly cemented union of the American colonies, under God, depends the salvation and establishment of American liberty."

During the sitting of the convention, a committee composed of six gentlemen waited on the governor, and represented that in consequence of the disturbed state of affairs, they were apprehensive that the slaves of the province would revolt, and requested that the arms and ammunition belonging to the province should be placed in the possession of the people. Governor Eden, in a letter to his brother, dated April 28th, giving an account of this proceeding, says:

"I expostulated with them—advised them—and tried to convince them they were only going to accelerate the evil they dreaded from their servants and slaves. In vain, however, although I agreed, by the advice of the Council, to commit the care of the arms to the custody of such gentlemen of the militia (regularly appointed by myself) as they must place confidence in. They expressed great satisfaction with this; but the next day (yesterday, 27th April,) applied to me, under the Militia Act of this Province, for arms for the purpose above mentioned—and by advice of the Council, then sitting at my house, I agreed to furnish four counties (whose Colonels made a regular application) with arms, etc., such as they are, and perhaps each county (of those four) will get one hundred stand, which their Colonels give receipts for, and are to share with the counties that have not had time to apply."

Congress again met on the 10th of May, 1775. At the opening of the session, Matthew Tilghman, Thomas Johnson, Jr., William Paca, Samuel Chase and John Hall were present, and Thomas Stone and Robert Goldsborough arrived on the 15th. From the beginning the Maryland representatives took a leading and most active part in the proceedings of the body, particularly Mr. Thomas Johnson, one of the foremost statesmen of the day, whose name appears on nearly all the committees, and Samuel Chase, the "Demosthenes of Maryland," who first declared in congress that he "owed no allegiance to Great Britain." Altogether the delegation constituted a noble representation of the ability, culture, political intelligence and wisdom of Maryland at this exciting period.

On the 26th of May, after stating the dangerous and critical situation of the colonies, from the attempts to carry into execution by force, the oppressive acts of parliament, from the actual hostilities committed in Massachusetts, and from the large reinforcements of troops expected with the same hostile views, congress unanimously determined "that, for the express purpose of securing and defending these colonies, and preserving them in safety against all attempts to carry said acts into execution by force of arms, the colonies be placed in a state of defence." They at the same time, expressed a most

ardent wish for a restoration of former harmony, and as a means of effecting this object, they resolved to present another humble and dutiful petition to the king; and to make it a part of the petition "that measures be entered into for opening a negotiation, in order to accommodate the unhappy disputes between Great Britain and the colonies."[1]

On June 14, Congress resolved to raise ten companies of riflemen, six from Pennsylvania and two each from Maryland and Virginia, to serve for one year, and to join the camp at Boston as soon as organized, to be employed as light infantry.

On the 15th of June, 1775, Colonel George Washington, one of the Virginia delegates in Congress, was nominated by his friend and associate, Thomas Johnson, of Maryland, to be commander-in-chief of the continental forces, and he was unanimously chosen.[2] Having accepted his commission from "the United Colonies," Washington left Philadelphia on the 21st of June to take command of the army, and arrived at Cambridge, in Massachusetts, on the 2d of July. Congress, besides creating a continental currency in order to defray the expenses of the war, also directed reprisals to be made, both by public and private armed vessels, against the ships and goods of the inhabitants of Great Britain found on the high seas, or between high and low water-mark. They also threw open the ports of the United Colonies to all the world, except the dominions and dependencies of Great Britain. They further established a general treasury department, and a general post-office by the appointment of Benjamin Franklin as Postmaster General for the colonies.[3]

In the midst of all this preparation, on the 17th of June, the battle of Bunker Hill was fought, and from this hour the colonists were fully aroused. Around Boston, the towns, cities and counties of America clustered, with hearts full of sympathy and hands full of aid. The cause of Boston was the common cause.[4] In Maryland all was vigilance and activity. The

[1] Thomas Johnson was a member of this committee, as well as of one "to devise ways and means to introduce the manufacture of saltpetre in the colonies."

[2] Johnson and Washington had been life-long friends, and often visited each other at their respective residences. But it was not friendship alone which induced the nomination. Although, at that time, it is probable that not even Washington's nearest friends knew the full extent of those qualities which were to fit him so pre-eminently for the place which he held, if we will note how few of the leading men of that day had military training and experience, and had given proof of their generalship in actual warfare, we can see how an unbiased judgment could not fail to point to him. The conflict of opinions and interests mentioned by Adams may have existed within the walls of Congress, but it is evident from his own admission that the feeling outside was almost unanimous. At the close of the war, when Washington was made President, he offered Mr. Johnson the position of Secretary of State, which the latter declined in consequence of domestic affliction.

[3] Mr. William Goddard, who commenced, on the 20th of August, 1773, the publication of *The Maryland Journal and Baltimore Advertiser*, the first newspaper in Baltimore and the second in the State, established, in July, 1774, our present national postal system, from Massachusetts to Georgia. Without cause, he was displaced by the united Congress to make room for Dr. Benjamin Franklin, who had been the Postmaster General under the British Government.

[4] At a large meeting of the citizens of Worcester county, held at the court-house, in Snow Hill, on Wednesday, the 7th of June, Benton Harris, Esq., in the chair, the following resolutions, among others, were unanimously passed:

Resolved, unanimously, That we feel ourselves bound by the strongest ties of love and affec-

ASSOCIATION

OF THE FREEMEN OF

MARYLAND

July 26. 1775.

THE long premeditated, and now, avowed deſign of the Britiſh government, to raiſe a revenue from the property of the coloniſts without their conſent, on the gift, grant, and diſpoſition of the commons of Great Britain; the arbitrary, and vindictive ſtatutes paſſed under colour of puniſhing a riot, to ſubdue by military force, and by famine, the Maſſachuſetts Bay; the unlimited power aſſumed by parliament to alter the charter of that province, and the conſtitution of all the colonies, thereby deſtroying the eſſential ſecurities of the lives, liberties, and properties of the coloniſts; the commencement of hoſtilities by the miniſterial forces; and the cruel proſecution of the war againſt the people of the Maſſachuſetts Bay, followed by General Gage's proclamation, declaring almoſt the whole of the inhabitants of the united colonies, by name or deſcription, rebels and traitors, are ſufficient cauſes to arm a free people in defence of their liberty, and to juſtify reſiſtance, no longer dictated by prudence merely, but by neceſſity, and leave no alternative but baſe ſubmiſſion or manly oppoſition to uncontroulable tyranny. The CONGRESS choſe the latter, and for the expreſs purpoſe of ſecuring and defending the united colonies, and preſerving them in ſafety, againſt all attempts to carry the above-mentioned acts into execution by force of arms, RESOLVED that the ſaid colonies be immediately put into a ſtate of defence, and now ſupports, at the joint expence, an army to reſtrain the further violence, and repel the future attacks of a diſappointed and exaſperated enemy.

WE therefore, inhabitants of the province of Maryland firmly perſuaded that it is neceſſary and juſtifiable to repel force by force, do approve of the oppoſition by arms to the Britiſh troops, employed to enforce obedience to the late acts and ſtatutes of the Britiſh parliament, for raiſing a revenue in America, and altering and changing the charter and conſtitution of the Maſſachuſetts Bay, and for deſtroying the eſſential ſecurities for the lives, liberties, and properties of the ſubjects in the united colonies. And WE do unite and aſſociate, as one band, and firmly and ſolemnly engage and pledge ourſelves to each other, and to America, that we will, to the utmoſt of our power, promote and ſupport the preſent oppoſition, carrying on, as well by arms, as by the continental aſſociation reſtraining our commerce.

AND as in theſe times of public danger, and until a reconciliation with Great-Britain on conſtitutional principles is effected (an event, we moſt ardently wiſh may ſoon take place) the energy of government may be greatly impaired, ſo that even zeal unreſtrained, may be productive of anarchy and confuſion; WE do in like manner unite, aſſociate, and ſolemnly engage, in maintenance of good order, and the public peace, to ſupport the civil power in the due execution of the laws, ſo far as may be conſiſtent with the preſent plan of oppoſition: and to defend with our utmoſt power all perſons from every ſpecies of outrage to themſelves or their property, and to prevent any puniſhment, from being inflicted on any offenders, other than ſuch, as ſhall be adjudged by the civil magiſtrate, the continental congreſs, our convention, council of ſafety or committees of obſervation.

Mark Tilghman &c

John Rider Jun
Richd Barnes
Jno Jordan
Jn. Thomas
W Smallwood

Jno Hall
John Contee
Mowie

Hy Griffith
Nicholas Worthington
Richard Sprigg

Benj. Edwards Hall
Thos Cloud
Richd Dorsam
Ignatius Wheeler Jun
Wm Nicols

The hardy pioneers of Frederick responded promptly to the requisition, and on the 18th of July "the riflemen" set off from Frederick Town on their march to Cambridge, Massachusetts. After travelling five hundred and fifty miles over the rough and difficult roads of that period, they arrived on the 9th of August at Cambridge, thus making the journey in twenty-two days without the loss of a man.

The character and appearance of the riflemen and their skill as marksmen, excited the curiosity of a gentleman in Frederick, who, in a letter to a gentleman in Philadelphia, dated August 1st, 1775, thus describes them before they left Frederick:

"Notwithstanding the urgency of my business, I have been detained three days in this place by an occurrence truly agreeable. I have had the happiness of seeing Captain Michael Cresap marching at the head of a formidable company of upwards of one hundred and thirty men from the mountains and back woods, painted like Indians, armed with tomahawks and rifles, dressed in hunting-shirts and moccasins, and though some of them had travelled near eight hundred miles from the banks of the Ohio, they seemed to walk light and easy, and not with less spirit than at the first hour of their march. Health and vigor, after what they had undergone, declared them to be intimate with hardship and familiar with danger. Joy and satisfaction were visible in the crowd that met them. Had Lord North been present, and been assured that the brave leader could raise thousands of such like to defend his country, what think you, would not the hatchet and the block have intruded upon his mind? I had an opportunity of attending the Captain during his stay in town, and watched the behavior of his men, and the manner in which he treated them; for it seems that all who go out to war under him do not only pay the most willing obedience to him as their commander, but in every instance of distress look

service, he made a map of his survey. At the age of eighty, he married a second time. He visited the British possessions, near Nova Scotia, at one hundred, and died at the age of one hundred and six.

Such was the father of Captain Michael Cresap, who was called upon to command the first company of soldiers from Maryland in the Revolutionary War. He was born in a part of Frederick which is now comprised in Alleghany county, in Maryland, on the 29th of June, 1742. There being no schools in that remote region, he was sent, at an early day, to a school in Baltimore county, under the charge of Rev. Thomas Craddock, rector of St. Thomas' parish, whose church was in Garrison Forest. After leaving school, he married a Miss Whitehead, of Philadelphia, and departed with his young wife to the wild frontiers, where he engaged in trading with the frontiersmen and friendly Indians. In 1774, he emigrated to "Red Stone Old Fort," now Brownsville, at the head of steam navigation of the Mississippi Valley; and in the same year is unjustly charged by Mr. Jefferson with the Logan or Yellow Creek massacre. In 1775, he was still engaged in making his settlements on the Ohio, where he became ill; and, returning home, he was met by a faithful friend with the message that he was chosen to command one of the two rifle companies. "When I communicated my business," says the messenger, "and announced his appointment, instead of becoming elated, he became pensive and solemn, as if his spirits were really depressed, or, as if he had a presentiment that this was his death warrant. He said he was in bad health, and his affairs in a deranged state, but that, nevertheless, as the committee had selected him, and as he understood from me, his father had pledged himself that he should accept of this appointment, he would go, let the consequences be what they might. He then directed me to proceed to the west side of the mountains, and publish to his old companions in arms this his intention. This I did, and, in a very short time, collected and brought to him, at his residence in Old Town, about twenty-two as fine fellows as ever handled rifle, and most, if not all of them, completely equipped.

"The immense popularity of this infamous Indian murderer, will appear from the circumstance of more than twenty men marching voluntarily nearly one hundred miles, leaving their families and their all, merely from a message sent by a boy to join the standard of their old captain, and that, too, from the very country where, if his name was odious, it must be most odious, as being in the vicinity of those dreadful Indian murders."—Colonel Brantz Mayer, *Tah-Gah-Jute*, or, *Logan and Cresap*. Jacob's *Life of Cresap*.

up to him as their friend or father. A great part of his time was spent in listening to and relieving their wants, without any apparent sense of fatigue and trouble. When complaints were before him he determined with kindness and spirit, and on every occasion condescended to please without losing his dignity.

"Yesterday the company were supplied with a small quantity of powder from the magazine, which wanted airing, and was not in good order for rifles; in the evening, however, they were drawn out to show the gentlemen of the town their dexterity at shooting. A clap-board, with a mark the size of a dollar, was put up; they began to fire off-hand, and the bystanders were surprised, few shots being made that were not close to or in the paper. When they had shot for a time in this way, some lay on their backs, some on their breast or side, others ran twenty or thirty steps, and firing, appeared to be equally certain of the mark. With this performance the company were more than satisfied, when a young man took up the board in his hand, not by the end, but by the side, and holding it up, his brother walked to the distance and very coolly shot into the white; laying down his rifle, he took up the board, and holding it as it was held before, the second brother shot as the former had done. By this exercise I was more astonished than pleased. But will you believe me, when I tell you, that one of the men took the board, and placing it between his legs, stood with his back to the tree while another drove the centre. what would a regular army of considerable strength in the forests of America do with one thousand of these men, who want nothing to preserve their health and courage but water from the spring, with a little parched corn, with what they can easily procure in hunting; and who, wrapped in their blankets, in the damp of night, would choose the shade of a tree for their covering, and the earth for their bed."[1]

Cresap's company was the first from the south to reach Cambridge, and although in bad health, he marched on the 13th of August, with Captain Daniel Morgan's company of Virginia riflemen, to Roxbury, on the south side of Boston, where they joined the American army under the command of General Washington. Mr. Thatcher in his military journal of August, 1775, in noticing their arrival, says:

"They are remarkably stout and hardy men; many of them exceeding six feet in height. They are dressed in white frocks, or rifle shirts, and round hats. These men are remarkable for the accuracy of their aim; striking a mark with great certainty at two hundred yards distance. At a review, a company of them, while on a quick advance, fired their balls into objects of seven inches diameter, at the distance of two hundred and fifty yards. They are now stationed on our lines, and their shot have frequently proved fatal to British officers and soldiers, who expose themselves to view, even at more than double the distance of common musket shot."[2]

In the midst of the appeal to arms, on the 26th of July, 1775, the convention of Maryland again assembled, and their first movement was to throw off

[1] Force's *Archives*, 4th series, iii., p. 2.

[2] Captain Cresap, after about three months' efficient service in the neighborhood of Boston, with continued illness, obtained leave of absence to return home; but, finding himself too sick to proceed, stopped in New York, where he died of fever, on the 18th of October, 1775, at the early age of thirty-three. On the following day, his remains, attended by a large concourse of people, were buried with military honors in Trinity church-yard. Colonel Mayer says, on a visit to the church-yard of Trinity, on the 21 of June, 1860, he discovered the long neglected grave and grave-stone of the pioneer, immediately opposite the door of the north transept of the church. It is of sand-stone, and when last seen, in 1865, was broken off near the ground and propped up. It bears this inscription beneath the rude sculpture of a winged head: "IN MEMORY OF MICHAEL CRESAP, FIRST CAPTAIN OF THE RIFLE BATTALIONS, AND SON OF COLONEL THOMAS CRESAP, WHO DEPARTED THIS LIFE OCTOBER THE 18TH, 1775."—*Tah-Gah-Jute*, p. 133.

On the 18th, Thomas Johnson, Jr., in a letter to General Gates, gives the following particulars of the proceedings of the convention. The letter created a considerable stir in the colonies at the time, and in England it was published in nearly all the papers of the day. After reviewing the troubles between England and America, he says:

"Our convention met the very day of my getting home; the meeting was very full; we sat close many days, by six o'clock in the morning and by candle light in the evening. Our people were very prompt to do everything desired; they have appropriated £100,000 for the defence of this province, a great part of it to be laid out in the military line immediately, part contingently and the rest for establishing manufactories of salt, saltpetre, and gunpowder.

"We have an association, ascertaining the necessity and justifiableness of repelling force by force, to be universally signed; and strict resolutions, with regard to our militia, which is to be as comprehensive here, as perhaps in any country in the world, when called to action. We are to be subject to the congressional rules and regulations for the army. A committee of safety, composed of sixteen, is, in the recess of the convention, to have the supreme direction. We yet retain the forms of our government, but there is no real force or efficacy in it; if the intelligence we have from England looks towards war, I dare say this province will not hesitate to discharge all officers, and go boldly into it at once.

"I have not lately heard anything particular from Virginia that can be depended on; their convention has had a long sitting, and I have no doubt but spirited measures, becoming themselves, and adequate to their circumstances, are adopted. We have the pleasure, now and then, to hear of your successful skirmishes. I long to hear that you have all your riflemen, and am particularly anxious as to their conduct. The spirit has run through our young men so much that, if the business proceeds, notwithstanding the scarcity of men in this and the southern provinces, I believe we must furnish you with a battalion or two; if as I hope, those who are gone acquire reputation, many of our youth will be on fire; the difficulty now is to regulate and direct the spirit of the people at large; and I verily believe that, instead of their being discouraged by a check on our military achievements, a sore rib would inflame them nearly to madness and desperation. I have already solicited your notice of several young gentlemen from Maryland: Lieut. Griffith and Daniel Dorsey, volunteers with Captain Price's, and Frederick Ridgely with Capt. Cresap's company, are all young men of connection with us; their fathers, with whom I have an intimacy and friendship, are ambitious that they should be regarded by you, and desire I should make a favorable mention of them with that view. You must not be surprised, the rank you hold in the opinion of my countrymen must make you the military father of the Maryland youth; I have not a personal acquaintance with these three young gentlemen, but their passion for the service is a powerful recommendation."

About the 10th of July, the ship *Totness*, Captain Warren, owned by Mr. Giddart, of Liverpool, and bound from that place to Baltimore with a cargo of salt, and other articles, ran aground on a shoal in the Chesapeake Bay, near the "Three Sisters Islands," off West River. While lying here a rumor soon spread on shore that she contained goods that were contrary to the non-importation association, and a number of the associators going on board advised the captain and crew to remove their own private property, after which, on the

Renck, Ezekiel Cox, Samuel Hughes, William Baird, Joseph Smith, William Yates, Conrad Hogmire, Christian Orendorff, Geo. Twengley, Joseph Chaplain, Colonel James Beale. Delegates—William Beard and John Stull, Esqrs."

18th, they set her on fire and burnt her to the water's edge. Mr. Eddis says, "this is the second burnt offering to liberty within this province." Later he says, "numbers of my valued friends are now preparing to bid farewell to a country where they cannot possibly remain with any degree of safety, unless they take an active part in opposition to the measures of government. To be neuter is to be adverse." On the 27th of August, Governor Eden addressed to an English nobleman the following letter, containing an account of the state of affairs:—

"I shall endeavor to lay before your Lordship two or three late occurrences in this Province which have given me great uneasiness, but which I had no power to prevent, although I had influence enough to prevent the excesses at first proposed being carried into execution, in some instances, and more especially in regard to the Snow *Adventure*, Capt. Henzell, belonging to Mr. Farness in London, that came to this City with about seventy indented Servants, and the Captain, it seems, had brought out 200 dozen of Porter, several Chaldron of coals and some lbs. of Cheese, under a pretence, as alleged, of stopping at Madeira, and disposing of them there. The Committee, therefore, thinking such a proceeding a premeditated Infringement of the Association, ordered him to return to England, Servants and all. I contrived to have the Barbarity of such a Measure, when it so greatly affected the Servants and Passengers, represented, and the Committee, in meeting again, thought proper to allow the Servants to be landed, and the vessel to take in Water and Provisions for the passage home; but the Captain, by being too long in availing himself of *that Indulgence*, was in some danger of the Conflagration that Mr. Giddart's Ship (of Liverpool) met with, for the particulars of which I must beg leave, in this Place, to refer your Lordship to the enclosed Papers—No. 1, from me to the officers of the Customs here; and, No. 2, their answer. I am next, my Lord, to mention the late proceedings of the Provincial Convention, held in this City, and for your Lordship's fuller Information, enclose the whole printed account thereof, No. 3, by which you may observe that the Council of Safety, as they term themselves, are invested with an Authority which, supposing their grand Favorite, Montesquieu, with Locke and Blackstone, to be right, has most certainly instituted a real and Oppressive Tyranny, in the very heart of the Province, in opposition to what they call such at 3,000 Miles distance. For I presume they must allow that where the Legislative, Judiciate and Executive Authority and Powers are all lodged in the same person, a Tyranny is erected. These Proceedings, I must remark, are accounted from the day they met, but were not published till the 17th inst., which shows their Lawyers to have the Conduct of the whole; and on the 19th I had a Meeting of the Council, to take advice how I ought to conduct myself, and what steps I should take in opposition to an Association directed to be carried about, and to be subscribed by all persons excepting my Household, without Regard to His Majesty's Officers of the Customs, the Councillors and other Magistrates, their Oaths of Allegiance, etc. The weakness of the Civil Government has so manifested itself in most of the Colonies since these Commotions began, that your Lordship will not be surprised at the timid declining to express their Sentiments, and the cautious or cunning refusing to do it, or not choosing it. The Council being thus, I adjourned till Monday last, when eight members exclusive of myself being present, I again applied for their advice, and to be short, my Lord, after some Time, I proposed publishing the enclosed Address No: 4,[1] hoping some

[1] Governor Eden's proposed address to the people. Read in Council, 29th August, 1775.

"*To the People of Maryland:*

"FRIENDS AND FELLOW-SUBJECTS—To men warm in the pursuit of liberty, it is not easy to prescribe bounds; and he can be no friend of his kind who views not even the excesses of such with an indulgent eye. But indulgence does not imply approbation. I forbear to recount a thousand instances of intemperate zeal

good might ensue from it. There was an even division of the Council on it, and at their general request, I declined giving my Vote, hoping the four absent Councillors would attend next meeting, which the wind and weather had prevented their doing at this time. That Evening and next Morning I found that a general timidity prevailed, even among those also who were for my measure, and the Council adjourned till to-morrow. I hope the address I had proposed will meet with the approbation of his Majesty and his Ministers. The necessity of the lenient Terms it was couched in, must be obvious on a Consideration of the violent Consequences that had immediately followed in the other Colonies; the adopting of such Expressions and mode of address as my Loyalty to my Sovereign and attachment to my Country and the Constitution would have dictated, had implicitly followed the dictates of my Heart. It has ever, my Lord, been my Endeavour, by the most soothing Measures I could safely use, to procure some hold of the Helm of Government, that I might steer, as long as should be possible, clear of those Shoals which all here must sooner or later, I fear, get Shipwrecked upon. I have found great advantage in this as yet, but when the Council of Safety, as they are called, meet, amongst whom, in the Convention proceedings, Your Lordship, I am sorry to say it, must see the names of two of the Council of this Province, viz.: Bordley & Jenifer (but the former has declined acting; the other is to act, and has already subscribed the Association paper, and gives his opinion that Kings are gone so far, people ought to risque every thing; and that he has accepted this Office only for the sake of being instrumental in procuring Disorder & Violence. This, I suppose, is to justify him to Mr. Harford's guardians, from whom he has his Commission as Agent & Receiver General, but will, I doubt not, be taken notice of); when, I said, my Lord, the Council of Safety meet, I am under Apprehensions that the Authority I have hitherto supported, will cease to be of any great avail. I have, however, great

that have occurred in Maryland, which hitherto I have thought it my duty to overlook. To thwart you, I imagined, would but exasperate you the more; and I relied on the love which, I knew, the far greater part of you still bore to our common parent—I relied on your natural good sense, and the veneration you could not but have for the best king and the best constitution in the world, that if, under the influence of the noblest passions that can animate the human breast, ye, happily, might err, your errors could not be ruinous and would not be persevered in. I appeal to yourselves. Whilst I could think liberty alone—true, genuine, constitutional liberty—the object you sought, I denied not your claims—I did more—I plead in your behalf; even when I thought them less defensible, and your proceedings far from justifiable, I represented them in the most favorable point of view they could possibly bear. If I was then your friend, call me not your enemy now, when, actuated by the same motives, I find myself under a necessity of telling you my fears, that those to whom you have entrusted your affairs are in danger of losing sight of their first fair pretensions. To tell you this, unreservedly, is a duty I owe to my sovereign, to you, and to my own conscience and character. An association, I am told, is gone forth, calling on the *freemen of Maryland* to testify *their approbation of the opposition by arms to the British troops*; as well as to *engage* and *pledge* themselves to *promote* and *support* the said opposition. This is no place, authoritatively, to say what a conspiracy is, or what treason and rebellion are; but I owe it to you to say thus much at least, that I would not for the world see the name of a man I esteem in the list of such subscribers. You do not want understanding, and I will speak to it. Let me warn you—let me conjure you—to think for yourselves. Surely you must see that you stand on the brink of a precipice—a single step further, and ye may be lost forever. There are already difficulties anew in the way of a reconciliation with the mother-country. For God's sake, do not increase them. Even yet, it is possible all may be well, and Britons and Americans still be one happy people—and, if I at all know the people I have had the honor to preside over, to be so is the wish of all others the nearest your hearts. If this may not be—which Heaven avert—what shall I say, but that, I hope, I have done my duty to my king, to you, and to my own heart. In a case like this, argument would be unseasonable. I have not, however, addressed you thus without reason. Whether it shall be with effect or not, is for yourselves to determine. My consolation under a disappointment, which yet I deprecate, will be that, when misfortunes (the just consequences of your rash procedures) shall come upon you, as, depend upon it, full surely they will, you did not fall into them without warning. I shall not add more, except my hopes that God may direct you to what is right, and that, I am."

satisfaction in hoping for His Majesty's Approbation of my having done my duty with integrity to the best of my abilities, in doing which I have more than once suppressed some daring attempts at imminent hazard of my life. An Assembly of rash People soon becomes a Lawless and ungovernable Mob, which grown desperate from necessity arising from a total neglect of their peaceable Trades & Occupations, and kept constantly heated by the Incendiary Harangues of their Demagogues, are a formidable Enemy to encounter with words only, founded on reason, and arguments of moderation. We have neither Troops nor Ships of War to support those who would (and I can assure your Lordship there are many such) if they had such support to fly to, have long ago asserted the Rights of Great Britain and their own Liberties, and are still ready, many of them, waiting only for such an Opportunity. Several of these have been compelled to muster and sign associations, &c., to preserve their lives and property without any further view, except, perhaps, learning the use of Arms so as to be on a level with those they are at present, by force connected with and ready to desert them. As my life and that of many of his Majesty's subjects here, who are known to be attached to Government and ready to support it, would immediately be sacrificed on the publication of this Letter, I have no reason to add what your Lordship's prudence would naturally suggest, that I hope this may be considered as a private Letter. Those such among the Leaders of the Rebellion here whose sole Consequence depends on a general Convulsion, spare no pains or Expence to obtain Copies of all the Letters sent home that all add to the Flame here, and undoubtedly have their Agents in most of the Offices at home for that infernal purpose, and they intercept all letters they can here from England which makes caution as necessary in answering these Letters as in writing them. I have entrusted this to the care of Mr. Lloyd Dulany, who is leaving a considerable Estate here to escape with his life from the persecution he has long been under, for having withstood every insidious and violent attempt to draw him into connection with men whose measures he abhors and has resolutely opposed from the very first. He is Brother to Dan Dulany of our Council, who was author of the *Considerations*, &c., after the Stamp Act, and was then a popular Man, but now persecuted for being a friend to Government. His son, on the same account went home in the last pacquet, and probably has been introduced to your Lordship by my brother. Many other Gentlemen of property, Characters & Family, are leaving America, and I should be unjust to a particular friend of mine were I to omit mentioning and recommending to your Lordship the Rev. Mr. Boucher, who is driven from his Parish and possessions here, and goes home in the *Choptank* frigate from Patomack in about ten days, he has ever been a firm supporter of the Church as well as of Government, and being particularly connected with me, can communicate to your Lordship the principal occurrences in this Province for some time past; and knows very well everything relative to all the great men in Virginia. He is a very sensible and intelligent man, meriting the patronage of Government to which he is steadily attached, and your Lordship will find his abilities very useful. I have wrote in his favour to my Brother-in-Law the Bishop of Bangor, and shall when he goes make him the bearer of nearly a duplicate of this, with what occurrences I may have to add; and he will have the honour of waiting on your Lordship therewith.

"Mr. Lloyd Dulany, the bearer of this, is a Man of understanding, and having resided almost constantly in this City for some yeara past, is able to give your Lordship a fuller account of all affairs here that the Limits of a Letter already too long will allow."[1]

While these events were passing in Maryland, the colony of Virginia was not altogether exempt from disorder. Governors Dunmore, of Virginia, Eden, of Maryland, Franklin, of New Jersey, and Penn, of Pennsylvania, were still

[1] London Public Record Office, America and West Indies, No. 203.

recognized in the respective colonies in their official capacity, but the time was near at hand when the people had no respect for their ancient form of government and officers. Governor Dunmore had, for a long time, injured and insulted the people of Virginia, but when he removed secretly from the provincial magazine, at Williamsburg, some military stores, and threatened to lay the town in ashes, the people became exasperated, and, to save himself from personal violence, he sought refuge on board an English man-of-war. From this stronghold he carried on a predatory warfare upon the coast, extending his operations to Maryland. Instigated by a ferocious spirit of revenge, on the first of January he reduced the town of Norfolk to ashes, and employed John Connolly, a native of Lancaster County, Pennsylvania, Doctor John Smith, a native of Scotland, but late a resident of Charles county, Maryland, and Allen Cameron, a native of Scotland, but late a resident of Virginia, to seduce the Indians to a war upon the frontier, and to raise an army at Detroit, which was to seize Pittsburg, and from this base invade the back settlements of Virginia. After establishing a strong post at Cumberland, it was proposed to seize Alexandria, where Governor Dunmore was to meet them with a fleet, and a body of runaway slaves, from the lower part of the Potomac. Alexandria was to be strongly fortified, and communication cut off between the northern and southern colonies.

For the execution of this formidable undertaking, Connolly had all necessary powers both from Governors Dunmore and General Gage, and full instructions for his future course, as well as commissions for the formation of a complete regiment at Detroit or Pittsburg. With his two companions, he proceeded up the Potomac, but was arrested on suspicion near Hagerstown, and brought to Frederick, where Smith says "we were stripped and searched again, and examined separately before the committee, where one of the most illiberal, inveterate, and violent rebels named Samuel Chase, (son of a respectable and very worthy clergyman of the province) a lawyer and member of the congress, presided."[1]

Their papers were examined and the plot discovered. The committee at Frederick Town sent Connolly and his papers to congress, who imprisoned him for more than a year in Philadelphia, and when that body adjourned to Baltimore, he was sent to the jail in the same town. He was afterwards released on parole, but remained a prisoner till near the close of the war.[2]

While thus endeavoring to raise a force in the western parts, Dunmore continued his depredations on the eastern and western shores of the Chesapeake, burning houses, robbing plantations, distressing individuals, and disseminating seeds of disaffection. In the latter, he was partially successful on the Eastern Shore of Maryland, where a number of his adherents pledged themselves to support the British cause, if arms and ammunition were furnished, and an additional force sent to support them.

[1] Force's *Archives*, 4th series, iv., p. 891, 615. [2] Sparks, iii., p. 212

"They even became so bold as openly to tear off the black cockade which the patriots wore at their militia trainings, to replace it with the red cockade, and to parade under officers of their own selection. A party under one of their leaders, in November, seized on a small craft and sailed secretly to obtain the necessary supplies of ammunition; but before the malcontents could mature their plans, the committee of safety of the Eastern Shore, aided by the committees of Somerset and Worcester Counties assembled a body of a thousand militia, crushed the attempt and secured the principal conspirators.

"Although defeated in these attempts, Dunmore did not pause in his efforts. In January, 1776, he invaded Accomac and Northampton, the Virginia Counties on the Eastern Shore. As soon, however, as the fact was known by the convention, then in session, three companies of minute men were called out for two months from Kent, Queen Anne's and Dorchester, and ordered to march to the assistance of the inhabitants. Two of these only, under Capts. Kent and Henry, were in a condition to march, the third, from Dorchester, possessed only ten guns fit for service and was unable to procure a supply. The two companies that marched to Northampton, numbering one hundred and sixty-six men, were generally well armed, but many of Captain Kent's men were without shoes. They were received by the people with public demonstrations of joy and continued on the station long after their orders had expired, in order to afford protection to the people."[1]

While Dunmore was thus committing his depredations in the lower portions of the Chesapeake, the Maryland Convention, on the 7th of December, assembled and immediately set about the formation of a military force for the protection of the province and to maintain her resolutions. After appointing Messrs. Charles Beatty, James Johnson and John Hanson, Jr., a committee to establish a gun-lock manufactory at Fredericktown, they resolved on the 1st of January, 1776,

"That this province be immediately put in the best state of defence.

"*Resolved*, That a sufficient armed force be immediately raised and embodied under proper officers, for the defence and protection of this province.

"*Resolved*, That one thousand four hundred and forty-four men, with proper officers, be immediately raised in the pay and for the defence of this province.

"*Resolved*, That eight companies of the said troops, to consist of sixty-eight privates each, under proper officers, be formed into a battalion.

"*Resolved*, That the remainder of the said troops be divided into companies of one hundred men each.

"*Resolved*, That two companies of the said troops, to consist of one hundred men each, be companies of matrosses, and trained as such."

The convention also appointed Messrs. Baker Johnson, Thomas Stone, Charles Carroll, barrister, Benjamin Rumsey and Francis Ware, a committee to report resolutions "for raising clothing and victualling the forces to be raised in the province;" and Thomas Johnson, Charles Carroll, of Carrollton,

[1] McSherry, p. 190.

Thomas Stone, Benjamin Rumsey and James Tilghman, a committee to report regulations for the government of the troops. A few days afterward the respective committees made their reports, which were adopted. The convention then elected the following officers to command the first battalion: William Smallwood, colonel;[1] Francis Ware, of Charles County, lieutenant-colonel; Thomas Price, who commanded the second company of Frederick riflemen, first major, and Mordecai Gist, of Baltimore Town, second major.

"*First company.* John Hawkins Stone, captain; Daniel Bowie, 1st lieutenant; John Kidd, 2d lieutenant; Benjamin Chambers, ensign.

"*Second company.* William Hyde, captain; Benjamin Ford, 1st lieutenant; John Beanes, 2d lieutenant; Henry Gaither, ensign.

"*Third company.* Barton Lucas, captain; William Sterrett, 1st lieutenant; Alexander Roxburgh, 2d lieutenant; William Ridgely, ensign.

"*Fourth company.* Thomas Ewing, captain; Joseph Butler, 1st lieutenant; Joseph Baxter, 2d lieutenant; Edward Praul, ensign.

"*Fifth company.* Nathaniel Ramsey, captain; Levin Winder, 1st lieutenant; Alexander Murray, 2d lieutenant; Walker Muse, ensign.

"*Sixth company.* Peter Adams, captain; Nathaniel Ewing, 1st lieutenant; David Plunkett, 2d lieutenant; John Jordon, ensign.

"*Seventh company.* John Day Scott, captain; Thomas Harwood, son of Thomas, 1st lieutenant; Thomas Goldsmith, 2d lieutenant; James Peale, ensign.

"*Eighth company.* Samuel Smith, captain; James Campbell, 1st lieutenant; Joseph Ford, 2d lieutenant; Bryan Philpot, ensign.

"*Company of light infantry.* George Stricker Captain; Thomas Smyth, jun., 1st lieutenant; James Ringgold, 2d lieutenant; Hatch Dent, 1st lieutenant."

The convention also authorized the raising of seven "Independent companies" of infantry and two companies of artillery who were to be officered as follows:

"Charles and Calvert Counties.—*First company.* Rezin Beall, captain; Bennet Bracco, 1st lieutenant; John Halkerston, 2d lieutenant; Daniel Jenifer Adams, 3d lieutenant.

"Somerset County.—*Second company.* John Gunby, captain; Uriah Forrest, 1st lieutenant; William Bowie, 2d lieutenant; Benjamin Brooks, 3d lieutenant.

"Worcester County.—*Third company.* John Watkins, captain; Moses Chaille, 1st lieutenant; Solomon Long, 2d lieutenant; Ely Dorsey, 3d lieutenant.

"Talbot County.—*Fourth company.* James Hindman, captain; William Goldsborough, 1st lieutenant; Archibald Anderson, 2d lieutenant; Edward Hindman, 3d lieutenant.

"St. Mary's County.—*Fifth company.* John Allen Thomas, captain; John Steward, 1st lieutenant; John Davidson, 2d lieutenant; Henry Neale, 3d lieutenant.

"Dorchester County.—*Sixth company.* Lemuel Barrett, captain; Thomas Woolford, 1st lieutenant; John Eccleston, 2d lieutenant; Hooper Hudson, 3d lieutenant.

"Queen Anne's and Kent Counties.—*Seventh Company.* Edward Veazy, captain; William Harrison, 1st lieutenant; Samuel T. Wright, 2d lieutenant; Edward de Courcy, 3d lieutenant.

"*Company of Artillery at Baltimore Town.* Nathaniel Smith, captain; William Woolsey, 1st lieutenant; Alexander Furnival, 2d lieutenat; George Keeport, 3d lieutenant.

[1] William Smallwood was a member of the convention from Charles county, and had been a member of the Lower House of Assembly since 1761. He was the son of Bayne Smallwood, a merchant and planter, who had filled many important trusts in the province, and for very many years represented his county in the Lower House of Assembly.

Charles Wallace was to be paymaster of the land forces and marines, and Gabriel Duvall, quartermaster and commissary. The pay of the battalion, independent companies and marines, by the month, was to be as follows:

The colonel	$50	Every sergeant	$ 6⅔
For his expenses	30	Every corporal	6
The lieutenant-colonel	40	Every drummer and fifer	6
For his expenses when acting in a separate department from the colonel,	20	Surgeons	40
		Surgeon's mates, each	20
Each major	33⅓	Chaplain	20
Every captain	26	Every private	5⅓
Each lieutenant	18	Clerk to colonel	20
Every ensign	16		

That the pay of the said artillery companies, by the calendar month, be as follows:

Every captain	$26⅔	Every sergeant	$ 6⅔
Every lieutenant	18⅓	Every corporal	6

"The pay of the officers, seamen and others (except the marines), in the pay of this province, in the marine service, by the calendar month, be regulated by the council of safety.

"A ration consisting of one pound of beef, or three-quarters of a pound of pork, one pound of flour or bread per man per day, three pints of peas, at six shillings per bushel, per week, or other vegetables equivalent; one quart of Indian meal per week; a gill of vinegar and a gill of molasses per man per day; a quart of cider, small beer, or a gill of rum, per man per day; three pounds of candles for one hundred men per week, for guards; twenty four pounds of soft soap, or eight pounds of hard soap for one hundred men per week.

"The forces employed in the land service to be entitled to the following rations, to wit: Colonel, 6; lieutenant-colonel, 5; major, 4; captain, 3; subaltern, 2; staff, 2; non-commissioned or private, 1.

"The uniform of the land forces and marines be hunting-shirts; the hunting-shirts of the marines to be blue, and those of the land forces to be other colors.

"The ordinary station of the said land forces be as follows:

"Five companies of the said battalion, together with the company of light infantry, be stationed at the city of Annapolis, and the other three companies thereof at Baltimore town.

"Five companies of troops, to consist of one hundred men each, be allotted for the Eastern Shore.

"One company thereof to be stationed in Worcester county; one company thereof in Somerset county; one company thereof in Dorchester county; one company thereof in Talbot county; and that one-half of the remaining company thereof be stationed in Queen Anne's county, and the other half in Kent county.

"One company of the remainder of the said troops, to consist of one hundred men each, be stationed in St. Mary's county: and that one half of the other company be stationed in Calvert county, and the other half in Charles county.

"One company of artillery at the city of Annapolis, and the other at Baltimore town."

The province was then divided into the following districts: St. Mary's, Charles, Calvert and Prince George's, to constitute the first; Anne Arundel,

Baltimore and Harford, the second; Frederick, the third; Cecil, Kent, Queen Anne's and Talbot, the fourth, and Dorchester, Caroline, Somerset and Worcester, the fifth. To each of these districts or brigades the convention appointed one brigadier-general, a quarter-master, and an adjutant, as follows: Henry Hooper, brigadier-general of the lower district on the Eastern Shore; James Lloyd Chamberlaine of the upper district, John Dent of the lower district on the Western Shore; Andrew Buchanan of the middle district, Thomas Johnson, Jr., of the upper district.

"*Resolved*, That the said brigadiers-general rank in the following manner, to wit: brigadier-general Johnson, first; brigadier-general Hooper, second; brigadier-general Dent, third; brigadier-general Chamberlaine, fourth; brigadier-general Buchanan, fifth."

The officers of militia for the various counties were as follows:

"For Saint Mary's County.—*Upper battalion*—Mr. Jeremiah Jordan, colonel; Mr. John Reider, jun., lieutenant-colonel; Mr. James Eden, 1st major; Mr. John Hanson Briscoe, 2d major; Mr. James Mills, quarter-master. *Lower battalion*—Mr. Richard Barnes, colonel; Mr. John Hatton Reed, lieutenant-colonel; Mr. Ignatius Fenwick, jun., 1st major; Mr. Samuel Abell, sen., 2d major; Mr. Hugh Hopewell, jun., quarter-master.

"For Charles County.—*Upper battalion*—Mr. William Harrison, colonel; Mr. Samuel Hanson, of Samuel, lieutenant-colonel; Mr. Kenelm Truman Stoddert, 1st major; Mr. Samuel Hanson, jun., 2d; Mr. Walter Hanson, quarter-master. *Lower battalion*—Mr. Josias Hawkins, colonel; Mr. Robert T. Hooe, lieutenant-colonel; Mr. John Marshal, 1st major; Mr. John Harris, 2d; Mr. John Nathan Smoot, quarter-master.

"For Calvert County.—Mr. Benjamin Mackall, 4th, colonel; Mr. Alexander Somervill, lieutenant-colonel; Mr. Joseph Wilkinson, 1st major; Mr. Patrick Sim Smith, 2d; Mr. William Allein, quarter-master.

"For Anne-Arundel County.—*Elk-Ridge battalion*—Mr. Thomas Dorsey, colonel; Mr. John Dorsey, lieutenant-colonel; Dr. C. A. Warfield, 1st major; Mr. Edward Gaither, jun., 2d; Mr. Benjamin Howard, quarter-master. *Severn battalion*—Mr. John Hall, colonel; Mr. Rezin Hammond, lieutenant-colonel; Mr. Nicholas Worthington, 1st major; Mr. Elijah Robosson, 2d; Mr. Matthias Hammond, quarter-master. *South-River battalion*—Mr. John Weems, colonel; Mr. Richard Harwood, jun., lieutenant-colonel; Mr. John Thomas, 1st major; Mr. Thomas Tillard, 2d; Mr. Edward Tillard, quarter-master.

"For Frederick County.—*First battalion*—Mr. Charles Beatty, colonel; Mr. William Beatty, lieutenant-colonel; Mr. Ludwick Weltner, 1st major; Mr. Benjamin Johnson, 2d; Mr. Lewis Bush, quarter-master. *Second battalion*—Mr. James Johnson, colonel; Mr. Joseph Wood, lieutenant-colonel; Mr. Benjamin Ogle, 1st major; Mr. Roger Johnson, 2d; Mr. Azel Waters, quarter-master. *Third battalion*—Mr. Jacob Good, colonel; Mr. William Blair, lieutenant-colonel; Mr. Samuel Shaw, 1st major; Mr. William Shields, 2d; Mr. Joseph M'Killip, quarter-master. *Fourth battalion*—Mr. Baker Johnson, colonel; Mr. William Luckett, lieutenant-colonel; Mr. Jacob Miller, 1st major; Mr. Henry Darnall, 2d; Mr. Nicholas Tice, quarter-master. Lower District.—*Lower battalion*—Mr. John Murdock, colonel; Mr. Thomas Johns, lieutenant-colonel; Mr. Richard Brooke, 1st major; Mr. William Deakins, 2d; Mr. Richard Thompson, quarter-master. *Upper battalion*—Mr. Zadock Magruder, colonel; Mr. Charles G. Griffith, lieutenant-colonel; Mr. Francis Deakins, 1st major; Mr. Richard Crabb, 2d; Mr. Samuel Du Vall, quarter-master. Upper District.—*First battalion*—Mr. John Stull, colonel; Mr. Andrew Rench, lieutenant-colonel; Mr. Henry Shryock, 1st major; Mr. George Woltz, 2d; Mr. Elie Williams,

quarter-master. *Second battalion*—Dr. Samuel Beall, colonel; Mr. Joseph Smith, lieutenant-colonel; Mr. Richard Davis, 1st major; Mr. Charles Swearingen, 2d; Mr. James Chapline, quarter-master.

"For Harford County.—*Upper battalion*—Mr. Aquila Hall, colonel; Mr. John Love, lieutenant-colonel; Mr. Josias Carvill Hall, 1st major; Dr. John Archer, 2d; Mr. Richard Dallam, quartermaster. *Lower battalion*—Mr. Benjamin Rumsey, colonel; Mr. Thomas Bond, lieutenant-colonel; Mr. Abraham Jarrett, 1st major; Mr. John Taylor, 2d; Mr. Robert Amos, quarter-master.

"For Cecil County.—*Bohemia battalion*—Mr. John Veazey, jun., colonel; Mr. John D. Thomson, lieutenant-colonel; Mr. William Rumsey, 1st major; Dr. Joshua Clayton, 2d; Mr. Samuel Young, quarter-master. *Elk battalion*—Mr. Charles Rumsey, colonel; Mr. Henry Hollingsworth, lieutenant-colonel; Mr. Edward Parker, 1st major; Mr. John Strawbridge, 2d; Mr. Thomas Huggins, quarter-master. *Susquehanna battalion*—Mr. George Johnson, colonel; Mr. Thomas Hughes, lieutenant-colonel; Mr. John Hartshorn, 1st major; Mr. Elihu Hall, 2d; Mr. John Hambleton, quarter-master.

"For Queen Anne's County.—*Upper battalion*—Mr. Richard T. Earle, colonel; Mr. Samuel Thompson, jun., lieutenant-colonel; Mr. John Seney, 1st major; Mr. James Kent, 2d; Mr. William Bruff, quarter-master. *Lower battalion*—Mr. Thomas Wright, colonel; Mr. Richard Tilghman, lieutenant-colonel; Mr. William Hemsly, 1st major; Mr. Arthur Emory, 2d; Mr. James Tilghman, quarter-master.

"For Somerset County.—*Upper battalion*—Mr. George Dashiell, colonel; Mr. George Day Scott, lieutenant-colonel; Mr. John Stewart, 1st major; Mr. William Horsey, 2d; Mr. Severn Hitch, quarter-master. *Lower battalion*—Mr. Thomas Hayward, colonel; Mr. Peter Waters, lieutenant-colonel; Mr. Thomas Bruff, 1st major; Mr. William Waters, of William, 2d; Mr. William Gillis, quarter-master.

"For Worcester County.—*First battalion*—Mr. Peter Chaille, colonel; Mr. Joseph Dashiell, lieutenant-colonel; Mr. John Done, 1st major; Mr. Robert Done, 2d; Mr. George Martin, quarter-master. *Second battalion*—Mr. William Purnell, colonel; Mr. Zadock Purnell, lieutenant-colonel; Mr. Samuel Handy, 1st major; Mr. William Morris, 2d; Mr. Josias Mitchell, quarter-master.

"For Caroline County.—*East battalion*—Mr. William Richardson, colonel; Mr. Henry Dickinson, lieutenant-colonel; Mr. William Whitely, 1st major; Mr. Matthew Driver, 2d; Mr. John White, quarter-master. *West battalion*—Mr. Philip Fiddeman, colonel; Mr. Benson Stainton, lieutenant-colonel; Mr. Richard Mason, 1st major; Mr. Henry Downes, 2d; Mr. Thomas Hardcastle, quarter-master.

"For Talbot County.—Mr. Christopher Birkhead, colonel; Mr. Peregrine Tilghman, lieutenant colonel; Mr. Jeremiah Banning, 1st major; Mr. Robert Lloyd Nicols, 2d; Mr. Nicholas Thomas, quarter-master.[1]

"For Prince George's County.—*The lower battalion.*—Mr. Joseph Sim, colonel; Mr. Thomas Contee, lieutenant-colonel; Mr. Thomas Sim Lee, 1st major; Mr. John Rogers, 2d; Mr. John F. A. Priggs, quarter-master. *Upper battalion.*—Mr. Joshua Beall, colonel; Mr. Robert Tyler, lieutenant-colonel: Mr. Addison Murdock, 1st major; Mr. George Lee. 2d; Mr. William Turner Wootton, quarter-master."[2]

[1] The field officers for Dorchester county were appointed by the Council of Safety.

[2] Captain Thomas Hyde's company of militia and Captain Thomas Johnson's, Jr., of Annapolis, and the companies of Captains Richard Harwood, Jr., William Brogden, Edward Tillard, John Weems, John Steward, John Deale, and Richard Chew, of Anne Arundel county, were organized into a battalion.

CHAPTER XXI.

To THE thoughtful student of history, there is something really wonderful in the attitude of Maryland at this juncture. With the most unshaken resolution her people had determined upon resistance to the encroachments of tyranny, and with dauntless courage they had set about carrying out their determination. Patriotism had risen to enthusiasm; and the easy overthrow of the proprietary government made the step to the renunciation of the supremacy of England a short and tempting one. Already the province was virtually independent: the law-making power was lodged in the hands of the convention, and the executive was promptly and efficiently administered by the Committees of Safety. The people were governing themselves. Yet just here, with a self-restraint that seems more surprising the more we look at it, they deliberately paused. They had begun their resistance with the object of securing their threatened provincial rights and liberties: this object they firmly kept in view and would not be tempted beyond it, at the least, until it had been made clear, beyond a doubt, that without independence it was unattainable. This attitude, which was misrepresented then and since, and which even somewhat chafed the patriotic soul of Washington, seems to us Maryland's greatest glory. It was not that her statesmen were less far-sighted than others: it was because whatever their visions of the future might be, they were resolved to walk in the plain path of duty. While strenuously pressing all measures deemed proper for the defence and preservation of the colonial liberties and the public welfare, they had yet nothing so much at heart as a happy reconciliation with the mother-country, upon the firm basis of constitutional freedom; and regarding such reconciliation as their highest felicity, so did they view the fatal necessity of separating from her as a misfortune next to the greatest that could befall her.

"Until the attempts of parliament to break down the barriers of their colonial governments against tyranny," McMahon says, "they had enjoyed under them security and happiness. Whilst the right of internal legislation was exclusively exercised by assemblies of their own choice, uncontrolled oppression could never reach them in the administration of their internal interests. They were, therefore, wedded to their charter governments, by the remembered blessings of the past; and upon them they were content to rest, as the earnest of liberty and happiness for the future. In no colony was this ardent attachment of its people to their internal government more prevalent and more justly founded than in Maryland. The reader, who

has gone with us in the general survey of the proprietary government and the history of its administration, has perceived, that in the protection of public liberty and private rights, and in all the securities which these derive from self-government, it gave peculiar freedom and privilege to the subject; and that it was generally so administered as to promote the interests and secure the attachment of the colony. That attachment was of the purest character. It was cherished for their free institutions, and not for the personal interests of those who administered them."[1]

As the proposition to declare the independence of the colonies began now to engross public attention, and as the patriots who were guiding the councils of Maryland were not prepared for so extreme a step, the convention, on the 12th of January, 1776, for the first time, imposed restrictions upon the delegates in congress, and made a formal declaration of the reasons for their opposition.[2]

To show to the world that they were right, be the issue what it might, and that their motives were pure, and their measures the last honorable resort of freemen, the convention in their instructions to Matthew Tilghman, Thomas Johnson, Jr., Robert Goldsborough, William Paca, Samuel Chase, Thomas Stone, Robert Alexander and John Rogers, their delegates in Congress, say: "The experience which we and our ancestors have had of the mildness and equity of the English constitution, under which we have grown up and enjoyed a state of felicity not exceeded by any people we know of, until the grounds of the present controversy were laid by the ministry and parliament of Great Britain, has most strongly endeared to us that form of government from whence these blessings have been derived, and makes us ardently wish for a reconciliation with the mother-country upon terms that may ensure to these colonies an equal and permanent freedom. To this constitution we are attached, not merely by habit, but by principle, being in our judgments persuaded, it is of all known systems best calculated to secure the liberty of the subject, and to guard against despotism on the one hand and licentiousness on the other. Impressed with these sentiments, we warmly recommend to you to keep in your view the avowed end and purpose for which these colonies originally associated, the redress of American grievances and securing the rights of the colonists." The delegates were, therefore, instructed to promote reconciliation as far as possible, "taking care, at the same time, to secure the colonies against the exercise of the right assumed by parliament to tax them, and to alter their constitutions and internal polity without their consent." They were also prohibited from assenting to a declaration of independence, or to any alliance with any foreign power, or any confederation of the colonies which would necessarily lead to separation; unless in their judgments, or of that of any four of them, or of a majority, if all present, it should be deemed

[1] McMahon, p. 425.

[2] It had been the custom of the province, previously, to confide unlimited powers to the delegates in Congress, and at each appointment to renew the pledge of the colony to abide by their acts.

absolutely necessary for the preservation of the liberties of the united colonies; and if any such measures were adopted by a majority of the colonies against their assent, they were instructed to submit them immediately to the convention, without whose sanction they should not be binding upon the colony. "Desirous as we are of peace, (say they, in conclusion,) we nevertheless instruct you to join with the other colonies in such military operations as may be judged proper and necessary for the common defence, until such peace can be happily obtained."

The declaration which followed these instructions, on the 18th of January, was made for the avowed purpose "of manifesting to the king, the parliament, the people of Great Britain, and to the whole world, the rectitude and purity of their intentions in their opposition to the measures of the English ministry and parliament." Explicitly declaring that they considered their union with the mother-country, upon terms that would ensure to them a permanent freedom, as their highest felicity, they concluded their vindication with the following striking expressions: "Descended from Britons, entitled to the privileges of Englishmen, and inheriting the spirit of their ancestors, they have seen, with the most extreme anxiety, the attempts of parliament to deprive them of their privileges, by raising a revenue upon them, and assuming a power to alter the charters, constitutions and internal polity of the colonies without their consent. The endeavors of the British ministry to carry these attempts into execution by military force, have been their only motive for taking up arms; and to defend themselves against these endeavors, is the only use they mean to make of them. Entitled to freedom, they are determined to maintain it at the hazard of their lives and fortunes."[1]

The colonists now thought of trying their hands at maritime warfare. The inhabitants of Maryland, clustered as they mostly were, along the shores of the Chesapeake Bay and the mouths of its tributaries, had, from a very early day, turned their attention to commerce and navigation. This is clearly shown from the answers to the enquiries propounded from time to time by "The Lords Commissioners of Trade and Plantations." In 1697, the General Assembly report that "the trade of this province ebbs and flows according to the rise or fall of tobacco in the market of England; but yet, it is manifest and apparent that universally, less crops are made of late than formerly; that is to say, of tobacco; for that the most and best land for that purpose is cleared and now worn out, which, indeed, thereby becomes better for tillage; and the late grievous losses sustained by the death of cattle,[2] hath sufficiently cautioned the inhabitants, by tillage to make better provision against the late unusual hard winter, and to plant less tobacco; and especially the country is in want of servants and negroes."

[1] *Journals of the Convention of Maryland*, 1774-5-6, pp. 82-120. McMahon, *History of Maryland*, pp. 428-9.

[2] The years 1694 and 1695 are described in the provincial records as years of unusual scarcity and suffering in the colony. A sort of murrain raged among domestic animals during these two years, by which 25,429 cattle and 62,373 hogs perished.

Tobacco being the great staple, from the first settlement, was almost the only article produced for exportation. Planting tobacco was, therefore, the general pursuit; there were some ship carpenters, ship builders, and a few other artizans. Their number, however, was small, as the assembly, in 1697, estimated them to be only about one-sixtieth of the whole population. Manufactures were almost unknown, and the colonists depended entirely upon England for the most necessary articles of consumption. In a few families, coarse clothing was manufactured out of the wool of the province, for the use of their servants and trades-people; and in Somerset and Dorchester, some attempts were made by a few persons, at a period when there was an extreme difficulty in procuring English goods, to manufacture linen and woolen cloths; "which they were reduced to," says the report of the assembly, in 1697, "by absolute necessity, and without which, many persons had perished; and this House believes that when the like necessity falls on them, or any other of this province, the like preservation will be endeavored."

The trade in tobacco, in consequence of the Navigation Acts, was carried on almost exclusively with England. The trade to other ports was very limited; and that consisted in shipments of beef, pork, pipe-staves, timber and small quantities of tobacco to the West Indies. The province traded with the New Englanders for rum, molasses, fish and wooden wares.[1]

The shipping of the province, at this early period, was very inconsiderable, and was carried on almost exclusively by English ships; but the shipping grew with the country, and the colonists of Maryland soon turned their attention to this source of wealth.[2]

Ship-building, before the Revolution, was a profitable business in Maryland. The vessels built were generally sent first to the West Indies, laden with naval stores, etc., and thence freighted with West India produce to Great Britain, and there sold. It is estimated that there were about one hundred and eighty-two vessels built in the colonies in 1772, a fair proportion of which were built in Maryland. By the custom-house books, kept at Boston, by "The Inspector General of the imports and exports of North America, and Register of Shipping," it appears that the amount of tonnage which entered the colonies from January 5th, 1770, to January 5th, 1771, was three hundred and thirty-one thousand six hundred and forty-four; and the amount cleared in the same period was three hundred and fifty-one thousand six hundred and eighty-six. The amounts entered and cleared in the several colonies at the time mentioned, were as follows:[3]

[1] Messrs. Sam'l and Robert Purviance erected the first distillery in the province for the manufacture of rum, at Baltimore.

[2] Richard Bennett, who died at his residence, on Wye river, in Queen Anne's county, on the 11th of October, 1749, in the eighty-third year of his age, was the largest shipper and the wealthiest planter in the province. The Maryland *Gazette* says "he was supposed to be the richest man on the continent; and, as he died without issue, he has, after making many large and handsome bequests to others, left the bulk of his estate to his executor," Colonel Edward Lloyd.

[3] Pitkin's *Statistics of the United States.*

	Entered, tons.	*Cleared, tons.*	*Population in 1775, exclusive of slaves.*
New Hampshire	15,362	20,192	102,000
Massachusetts	65,271	70,284	352,000
Rhode Island	18,667	20,661	58,000
Connecticut	19,223	20,263	202,000
New York	25,539	26,653	238,000
Pennsylvania	50,901	49,654	341,000
Maryland	30,477	33,474	174,000
Virginia	44,803	45,179	300,000
North Carolina	20,963	21,490	181,000
South Carolina	29,504	32,031	93,000
Georgia	9,914	10,604	27,000

For some years before the Revolution, about eighty-five thousand hogsheads of tobacco were exported, principally from Virginia and Maryland, then valued at a little more than four millions of dollars, and constituted nearly one-third in value of all the exports of the British North American colonies.[1]

By the voluntary act of the people in the adoption of the non-intercourse association, this immense trade was now suspended. The ships were unemployed, the seamen were idle, and severe loss or ruin fell upon the merchants of the province. The patriotic resolutions, however, had the salutary effect of enabling the merchants to collect their widely scattered property from distant parts of the world; so that the swift-sailing craft of the Chesapeake, if no longer needed in trade, could try their hands at maritime warfare. And soon the port of Baltimore became the central point of a great system of privateering; a species of warfare, which, in American hands, always proved peculiarly efficient.

The Continental Congress re-assembled on September 5, 1775, and the Georgia delegates having taken their seats, the name of "the Thirteen United Colonies" was given to the federation. The Maryland delegation[2] took an active part in its proceedings. On the 13th of October, the first Act of Congress for the formation of a navy was promulgated.[3] War not being regularly declared, and a reconciliation of the existing difficulties far from hopeless, congress did not yet grant letters of marque and reprisal, as they desired to

[1] Governor Johnstone, on the 25th of March, 1774, in the course of his remarks in the House of Commons on the Boston Port Bill, said: "By excluding the importation of molasses, and the exportation of that spirit which is distilled at Boston, the whole Guinea trade will be affected, and in consequence, the sugar trade, that depends upon it. In extending this kind of punishment to the other colonies, every one must see the danger; and yet, if it can be approved for one, the same arguments will hold good to approve or reject it respecting the others. But let any man figure to himself the consequences to this country, if a similar punishment was applied to the colony of Virginia—£300,000 a year diminution in revenue, besides the loss of all the foreign contracts, and perhaps of that beneficial trade forever!"—*American Archives*, 4th series, i., p. 55.

[2] Matthew Tilghman, Thomas Johnson, Jr., Robert Goldsborough, William Paca, Samuel Chase, Thomas Stone, and John Hall. In consequence of the illness of Messrs. Hall and Goldsborough, the convention, on December 9, appointed, as additional members, Robert Alexander, of Baltimore Town, and John Rogers, of Prince George's.

[3] "During the discussion, Samuel Chase denounced the idea of building an American fleet as "the maddest thing in the world."—John Adams' *Works*, ii., p. 463.

preserve as many friends in England as possible. But as a precautionary measure, they ordered one vessel of ten guns, and another of fourteen, to be fitted out as cruisers, and sent to intercept supplies for the royal troops in Canada. Under this law it is believed that a brig called the *Lexington*, and a sloop named the *Providence*, were equipped; though it does not appear that either went on the particular duty named in the resolution. On the 30th of the same month, two more armed vessels were ordered to be fitted for sea.

On the 25th November following, resolutions were passed, directing seizures and capture under commissions obtained from congress, together with the condemnation of British vessels *employed in a hostile manner* against the colonies; the mode of trial and of condemnation was pointed out, and the shares of the prizes were apportioned. On the 28th, congress adopted rules for the regulation of the navy of the United Colonies, and on the 13th of December, a report was adopted for fitting out a naval armament, to consist in the whole of thirteen ships. Under this law the *Virginia*, a frigate of twenty-eight guns, was built at Fell's Point, Baltimore, by Mr. Wells. On the 28th of December, officers were appointed to command the armed vessels, and on the 6th of January, 1776, a regulation was adopted relative to the division of prizes and prize-money taken by armed vessels. On the 23d of March, resolutions were adopted authorizing the fitting out of *private armed vessels*, to cruise against the enemies of the United Colonies. On the 2d of April, 1776, the form of a commission for private armed vessels was agreed upon, and on the 3d of April, instructions to the commanders of private armed vessels were considered and adopted. They authorized the *capture of all ships and other vessels belonging to the inhabitants of Great Britain* on the high seas, or between high-water and low-water marks, except vessels bringing persons who intend to reside and settle in the United Colonies.

In the meantime, in October, 1775, the Continental Marine Committee was fitting out at Baltimore two cruisers, to make the first essay of the American navy.

A Bermudian vessel was purchased, armed with ten guns, called the *Hornet*, and was placed under the command of Captain William Stone, with Joshua Barney as second officer, or master's mate.[1]

At the same time, the schooner *Wasp*, mounting eight guns, was also fitted out and placed under the command of Captain Charles Alexander. As

[1] Mrs. Mary Chase Barney, in her *Memoir of Commodore Barney*, says: "A crew had not yet been shipped, and the duty of recruiting one was assigned to Barney. Fortunately for his purpose, just at this moment a new American flag, sent by Commodore Hopkins for the service of the *Hornet*, arrived from Philadelphia. Nothing could have been more opportune or acceptable. It was the first continental flag that had been seen in the State of Maryland; and, next morning at sunrise, Barney had the enviable honor of unfurling it to the music of drums and fifes, and hoisting it upon a staff, planted with his own hands at the door of his rendezvous. The heart-stirring sounds of the martial instruments, then a novel incident in Baltimore, and the still more novel sight of the *rebel* colors gracefully waving in the breeze, attracted crowds of all ranks and eyes to the gay scene of the rendezvous, and before the setting of the same day's sun the young recruiting officer had enlisted a full crew of jolly 'rebels' for the *Hornet*."

the commercial enterprise of Baltimore was at this time in a great measure suspended—the mouth of the Chesapeake being watched by British ships of war, and the merchants doubtful whether their most peaceful and legitimate intentions of trade would be respected, for the most part laid up their ships to be fitted out ere long as privateers—the crews were idle, and there was no difficulty in obtaining sailors.

These two vessels were the first regular cruisers that went to sea under the new government. Late in November, they left the Patapsco in company, and were fortunate enough to descend the Chesapeake and pass the capes undiscovered by the British cruisers. They were ordered to join Commodore Hopkins in the Delaware, who had been directed by congress to proceed with his fleet to the southward, with a view to operate against Lord Dunmore, who was then ravaging the Virginia coast.

When the *Hornet* and *Wasp* arrived in the Delaware they found the little fleet of Commodore Hopkins, consisting of the *Alfred*, (the flag ship,) of 30 guns; the *Columbus*, 30; the *Cabot*, (brig,) of 16; the *Audrea Doria*, (brig,) 14; and the *Providence*, (sloop,) of 12, together with the *Fly*, (tender,) anchored under Cape Henlopen. On the 17th of February, Commodore Hopkins got to sea, and on the 19th, as the squadron was steering south with a fresh breeze, the *Fly* "ran foul of the *Hornet*," which compelled them to part company, and they did not join again during the cruise. The squadron rendezvoused at Abaco, from which station the Commodore made a descent on New Providence, capturing the town and bringing away the governor, several prominent citizens, and a large quantity of cannon and other military stores. On the 17th of March, the fleet steered for the colonies, the *Wasp* arriving at Philadelphia, the others at other ports. The *Hornet*, almost a wreck, also arrived at Philadelphia, when Barney was transferred to the *Wasp*. A short time after this the *Wasp* captured a British tender in the Delaware, and for his conduct on this occasion, Barney was made a lieutenant in the Navy of the United Colonies.

In consequence of the failure of Commodore Hopkins to perform the duties assigned him on his voyage south, congress, on the 16th of October, passed a vote of censure on him, and on the 2d of January, 1777, formally dismissed him from the service. Captain James Nicholson was then the senior officer of the navy, a station he held to the close of the war. He was appointed captain on the 6th of June, 1776, and when the rank was arranged on the 10th of October of the same year, the Marine Committee of Congress placed him at the head of the list of captains. While he was serving as commander of the *Defence* in Baltimore, the frigate *Virginia*, ordered by the Act of 1775, was finished, and he was assigned to the command. The vigilant blockade of the enemy at the mouth of the Chesapeake prevented the *Virginia* from getting to sea until the spring of 1776, when, having received her crew and equipments, she made the attempt on the 30th of March. It appears that she followed another vessel down the bay, under the impression that the best pilot was in charge of her.

About daylight in the morning, however, she struck on the middle ground between the capes; over which she beat with the loss of her rudder, and then cast anchor. At daylight, on the 1st of April, two British frigates were seen a short distance off, and upon the approach of the frigate *Emerald*, Captain Caldwell, Captain Nicholson escaped with his papers in the ship's barge, but Lieutenant Joshua Barney, with his brother William, who was an officer of the marines, and the rest of the crew fell into the hands of the enemy. Congress instituted an inquiry, but acquitted Captain Nicholson of all blame. He subsequently fought two of the most remarkable combats of the war.

While the United Colonies were fitting out their infant navy, Maryland was exerting herself to equip cruisers of her own. In 1775 and 1776, the Chesapeake was much infested by barges and small cruisers of the enemy, which not unfrequently made prizes of vessels belonging to the merchants of Baltimore, besides molesting the people who dwelt near the water. With the view to keep the navigation open against these marauders at least, the Council of Safety and the Committee of Observation at Baltimore determined to fit out a cruiser, at the expence of the State, and with such material as could be hastily collected. With this object early in the spring of 1776, a ship called the *Defence*, was purchased, armed and equipped. She mounted twenty-two six-pounders besides swivels, and was commanded by Captain James Nicholson.[1]

The *Defence* was a successful cruiser, both at sea and in the Chesapeake, and made many captures; but becoming old she was finally ordered to Baltimore, dismantled and sold.

During the Revolution, Maryland's little navy did excellent service; and in addition to the few already mentioned, we shall add, from the best authorities, the accounts of one or two of their actions, before giving an outline of the service performed by the private armed cruisers.

In addition to those already spoken of, Maryland armed and equipped as light cruisers, the brigs *Friendship* and *Amelia*, and the Sloop of War *Hebe*

[1] He was born at Chestertown, Maryland, in 1737, and chose the sea as a profession. He assisted at the capture of Havana, in 1762. On the 6th of June, 1776, was appointed to the command of the *Virginia*, and on the 10th of October following, was put at the head of the list of captains of the continental navy, a place he held until the close of the war. He afterwards commanded the *Trumbull*, of thirty-eight guns; and June 2, 1780, had a severe action of three hours with *The Wyatt*, losing thirty men before the ships separated. In August, 1781, the *Trumbull* was captured off the Capes of Delaware by *The Iris* and *General Monk*, after a gallant resistance, being completely dismantled. After the war he resided in New York, where he was, in 1801–4, United States commissioner of loans. He died September 2, 1804. His brother Samuel was born in Maryland, in 1743, and died December 29, 1811. He was a lieutenant with Paul Jones in the battle between the *Bon Homme Richard* and *Serapis*; was made a captain September 17th, 1779; and early in 1782, commanded the frigate *Deane* of thirty-two guns, in which he cruised successfully, taking among other prizes, three sloops of war, with an aggregate of forty-four guns. Commissioned captain on the reorganization of the navy, June 10, 1794, and was the first commander of the frigate *Constitution*. Another brother of this distinguished naval family was commissioned lieutenant in the navy, August 17th, 1776, and captain, September 17, 1779. The third generation of this family are now holding high places in the United States navy. The three daughters of Commodore James Nicholson, were married to Albert Gallatin (ex-Secretary of the Treasury), Wm. Few, and John Montgomery (ex-member of Congress and Mayor of Baltimore).—*Drake's Biog. Dict.* p. 659.

Johnson, mounting twenty-two guns. These vessels proved successful cruisers and made many captures. She, moreover, fitted out at her own cost and expense for the protection of the Chesapeake Bay and its tributaries, the galleys *Johnson*, *Independence*, *Baltimore*, *Conqueror*, *Chester*, *Molly*, and a number of others.

In 1778–9, Commodore Thomas Grason, in command of this little fleet, made several voyages along the capes and shores of the Chesapeake, and struck the enemy many heavy blows. The State also built and equipped the barges *Revenge*, *Terrible*, *Intrepid*, *Protector*, *Experiment*, *Venus*, *Defence*, *Reformation*, *Dolphin* and *Fearnaught*.[1]

Among the brave men who were actively engaged by the State in carrying on the war, by sea, were Captains James Nicholson, James Cooke, Thomas Grason, —— Belt, John Gordon, Robert Dashiell, John Green, James Stewart Davis, Zedekiah Walley, William Corbin, William Middleton, Levin Spedden, Daniel Brian, William Delisle Frazier and John Lynn.

The first proceedings of congress in reference to assailing the British commerce, as has been seen, were reserved and cautious. As the breach widened, this forbearing policy was abandoned, and the summer of 1776 let loose a swarm of privateers. The commercial activity of Baltimore, for which that city was more conspicuous fifty years ago than at present, rests, indeed, upon the hardy seamen made, and the large fortunes acquired by privateering. The trade was to Baltimore, what the fisheries were to Massachusetts Bay—the nursery of seamen and the fosterer of enterprise. The Baltimore sailors preyed upon British commerce, as Drake and his stout British sailors had preyed upon the Spanish; and how costly to a country's commerce an active enemy can make this trade, may be gathered from two or three facts which we have gleaned from the dusty records of the past, in the land office at Annapolis.

The Convention of Maryland, on the 12th of December, 1775, prohibited all vessels leaving Maryland without a license; and if any vessel left without one, or if, after obtaining one, the commander thereof should, "without absolute and inevitable necessity, go to or touch at any place out of this province, other than that mentioned in such license, or shall carry any person or letter, or shall bring back any person or letter, of which he shall not give notice to some committee of observation, as soon as may be after his return," such commander and all other persons accessory to such disobedience, were to be punished by imprisonment. This resolution did not, however, prohibit vessels trading with the patriotic sections of Virginia.

As we have before stated, congress, on the 23d of March, 1776, adopted resolutions authorizing the fitting out of *private armed vessels*, to cruise against the enemies of the United Colonies, and on the 3d of April, their

[1] These barges were about forty-two feet long, eight feet wide, three feet deep, and drew about fifteen inches of water. They were propelled by single rows of oars forward and aft, and double amidships, carrying in the whole about twenty-four oars from sixteen to thirteen feet long. They carried two large guns each. The galleys drew about eight feet of water.

commanders were authorized to capture all ships and other vessels belonging to the inhabitants of Great Britain on the high seas, or between high-water and low-water marks, except vessels bringing persons who intended to reside and settle in the United Colonies.

The Council of Safety had, however, issued licences to privateers before this period, and they were so active, that their prizes captured and sent in to the Chesapeake realized a large sum of money. Upon the promulgation of the laws of congress authorizing privateers, the Convention of Maryland, on the 25th of May, through a committee composed of Thomas Johnson, William Paca, George Plater, Jeremiah T. Chase and Robert T. Hooe reported a resolution for the establishment of a Court of Admiralty for the trial and condemnation of prizes. This resolution was adopted and William Hayward unanimously elected judge of the court. On the 25th of June, the convention authorized the Council of Safety to contract for the building, fitting out and equipping, with all expedition, seven row-galleys, of such construction and force as they deemed proper; and on the 3d of July, they were also empowered to fit out three vessels to carry not more than ten guns "and also any number of armed boats not exceeding six, for the service and defence of this colony." Under these several resolutions the little fleet was fitted out, and, as we have shown, did good service in protecting to a great extent the shores of the Chesapeake and its tributaries from the marauding and plundering expeditions of the enemy.

Most of the colonies had at sea or off their coasts, at this time, their respective cruisers, fitted out at their own cost and expense; while the ocean began to swarm with privateersmen and letters-of-marque from all parts of the country; though Maryland took the lead in this particular species of warfare, of which Baltimore was the central point.

In our researches among the archives of Maryland we have found and we have now before us, taken from the actual records, a list, in which we find that from April 1st, 1777, to March 14th, 1783, a period of six years, the privateers which sailed out of the Chesapeake, furnished with letters of marque and reprisal, numbered *two hundred and forty-eight*, carrying in all *eighteen hundred and ten guns and six hundred and forty swivels.* This was with a British fleet at Hampton Roads and inside the capes nearly all the time. The damage which this flotilla of privateers did to British commerce must have been very heavy.

We find from the curious list of names of vessels and owners engaged in privateering during our Revolutionary War, that men of the highest standing in the State were actively engaged in this hazardous trade, and thus were laid the foundations of not a few solid and permanent fortunes. But it was not confined to Marylanders alone, nor even to Americans. French, Spanish and Dutch merchants sent out money to Baltimore and bought shares in our privateering adventures. The privateer was the nurse of the infant navy of the country; and many of our most distinguished naval officers began their

careers as captains or officers of Baltimore privateers. We need only refer to the names of John Rogers, David Porter, Alexander Murray, Joshua Barney and Joseph Elliott, as an evidence of the character of men who commanded our early privateers.[1]

Among those who sent out the vessels and embarked in these risks, we find the most respected names in the State and county. We find Robert Morris, the great financier of Philadelphia, the friend of Washington and of Franklin, sending out, as his own private venture, the brigantine *Lively*, James Belt, master, carrying ten guns and two swivels. We find John Johnson, of Annapolis, afterward Chancellor of the State, making several ventures, while Samuel and Robert Purviance, and Robert and Alexander McKim each sent out a privateer about once a month. Among others who were engaged in this patriotic and remunerative service, may be mentioned Daniel Bowley, Alexander Buchanan, Samuel Hughes, William Spear, William Smith and John McLure, each of whom has a dock or wharf in Baltimore bearing his

[1] John Rogers commanded the schooner *General Smallwood*, mounting four guns, and owned by the State. He was commissioned October 20, 1777. He afterwards, March 13, 1777, commanded the brig *Black Prince*, mounting twelve guns and four swivels, with a crew of forty men. David Porter, on the 20th of October, 1777, commanded the sloop *Delight*, owned by Hugh Young & Co., Baltimore, mounting six guns. Alexander Murray, on the 20th of October, 1777, commanded the brig *Saratoga*, owned by Samuel and Robert Purviance, of Baltimore, mounting twelve carriage-guns and eight swivels. He afterwards, on the 5th of April, 1779, commanded the brig *Columbus*, owned by Messrs. Purviance, mounting ten guns and six swivels. He also, on the 24th of June, 1780, commanded the brig *Revenge*, owned by John Muir and others, of Baltimore, mounting twelve guns and two swivels. Joseph Elliott commanded, on the 10th of March, 1780, the schooner *Molly*, mounting two guns, and owned by Archibald Pattison & Co., of Dorchester county. He afterwards, on the 30th of November, 1780, commanded the schooner *Unity*, mounting eight guns, and owned by Robert Ewing and others, of Dorchester. See *Memoirs of Commodore Barney* for his services. Among the largest privateers which sailed out of the port of Baltimore during the Revolutionary War was the *Buckskin Hero*, Captain Edward Brooks, mounting sixteen guns and one hundred men, and owned by John Crockett & Co., Baltimore; brig *Burling*, Captain Robert Caulfield, fourteen guns and fifty men, owned by John Sterrett, Daniel Bowley, and others; ship *Buckskin*, Captain Aquila Johns, twenty-eight guns, Samuel and Robert Purviance; brigantine *Snake*, Captain Luke Matthewman, fourteen guns, six swivels; schooner *Baltimore Hero*, Captain James Earle, fourteen guns and eight swivels, Richard Curson; brig *Maryland*, Captain Benjamin King, sixteen guns and two swivels, Hooe & Harrison, and others of Maryland and Virginia, owners; brig *Fox*, Captain George Buchanan, fourteen guns, John Dorsey & Co., Baltimore; brig *Ranger*, Captain Thomas Johnson, fourteen guns, Daniel Bowley and John McLure; sloop *Porpoise*, Captain William Weems, sixteen guns and six swivels; brig *Willing Lass*, Captain Thomas Williams, sixteen guns, Henry Dennis, and others, Worcester county; brig *Nisbett*, Captain James Forbes, fourteen guns, Robert Morris and John Nisbett, of Philadelphia, and S. Steward, of Maryland, owners; brig *Hercules*, Captain John Carey, sixteen guns and sixty men, Young, Knox & Co.; brigantine *Duke of Leinster*, Captain William Taylor, sixteen guns and two swivels, and sixty men, William Neill, Baltimore; brig *Viper*, Captain John Harrison, fourteen guns and fifty men, David Stewart; schooner *Antelope*, Captain Jeremiah Yellott, fourteen guns, John Sterrett, Baltimore; brig *Cato*, Captain Benjamin Weeks, fourteen guns, Samuel and William Smith, Baltimore; brig *Ranger*, Captain James Buchanan, fourteen guns and six swivels, Matthew Ridley & Co., Baltimore; schooner *Resource*, Captain Joseph Audet, fourteen men, John Dumost, Baltimore; ship *Venus*, Captain James Buchanan, sixteen guns and seventy men, Archibald Buchanan, and others, of Baltimore; ship *Matilda*, Captain James Belt, twenty-two guns and seventy men, John Dorsey & Co., Baltimore; ship *General O'Reiley*, Captain Charles Alexander, fourteen guns, John Meade & Co., Philadelphia; ship *Iris*, Captain Thomas Cole, fourteen guns and sixty-five men, Jeremiah Yellott, and others, Baltimore; ship *Favorite*, Captain James Buchanan, twenty-two guns, Wallace, Johnson, Muir & Co., Baltimore; ship *Jolly*, Captain Charles Harrison, fourteen guns, Messennier and J. C. Zollickoffer, Baltimore; ship *Caroline*, Captain John Angus, sixteen guns and sixty men, John Wight Stanly, Philadelphia.

name; James Calhoun, the first Mayor of Baltimore; Thoroughgood Smith, Mayor; Wm. Patterson, father of Mme. Bonaparte; David Stewart, John Dorsey, Captain Charles Ridgely, of Hampton; Isaac and Abraham Vanbibber, Wm. Lux, John Sterett, Samuel Smith, afterwards general and hero of Fort Mifflin; Geo. Salmon, Archibald and George Buchanan, Richard Carson and Wm. Taylor. Other Baltimore names of well-known and prominent families occur in these lists: Hooper, Williams, Hammond, Lane, Magruder, Hollingsworth, Norris, Pringle, Handy, Yellott, Worthington, Nisbett, Jaffray, Muir, Dennis, etc.

Besides Mr. Morris, a good many other Philadelphians speculated in the business, and we find the names also of Spanish merchants of Cadiz and Havana.

The colonies obtained many important supplies, military and other, and even manufactured articles of ordinary use, by means of these captures, scarce a day passing that vessels of greater or less value did not arrive in some of the ports of their extensive coast, the fine harbors of the Chesapeake being especially favorable. Notwithstanding the attempts made to manufacture military stores in the colonies, it would have been impossible to provide sufficient quantities, especially of ammunition, for the immediate use of the army, but for some fortunate captures and successful enterprises made at sea, either by the ships of war belonging to the United Colonies, or by privateers, fitted out by individuals.[1]

Even with the aid thus afforded, the supply of ammunition was always precarious, and often deficient; and without it, it seems probable that the operations of the colonial forces must have been entirely suspended.

But there were other things needed besides munitions of war. The non-importation agreements, though not everywhere rigidly observed, had still left the colonies destitute of many necessary articles, especially clothing. Domestic manufacture was still on too small a scale to meet the deficiency; and when congress undertook to raise an army, it was almost impossible to provide it with clothing and blankets. Indeed, the want of these was not confined to the army only, though felt most severely there; and these wants were in some degree relieved by captures made at sea.[2] The prizes taken by

[1] Mr. William Patterson, the father of Mrs. Elizabeth Patterson Bonaparte, and one of Baltimore's most distinguished and wealthy merchants, who died February 7th, 1835, gives the following brief sketch in his will of shipping arms and ammunition to America: "When the American Revolution commenced, in which I took great interest, it appeared to me that one of the greatest difficulties we should experience was the want of powder and arms, in consequence of the great precautions taken by the British Government to prevent there being brought to this country from other places. This induced me in the year 1775 to embark all the property I then possessed in parts of two vessels and their cargoes, destined from Philadelphia to France, for the sole purpose of returning with powder and arms, and in one of which I embarked myself. One only of these vessels got safe back to Philadelphia, where she arrived in the month of March, 1776, with the cargo intended, and in a most critical time, when it was said that General Washington, then before Boston with the army, had not powder sufficient to fire a salute."—*Chronicles of Baltimore*, p. 482.

[2] Maryland, to supply her troops with arms and equipments, sent on her own account, cargoes of corn, wheat and flour to the French West India Islands, especially St. Eustatia, St. Martin's and Martinique, investing the proceeds in the necessary supplies.

American cruisers in the year 1776 alone, are estimated by some English writers at three hundred and forty sail, of which forty-four were retaken, eighteen released, and four burned. The aggregate value of vessels and cargoes was estimated at £1,000,000;[1] but to America they were, of course, incomparably more valuable. On the other hand, the colonies had their share of disasters: many privateers were taken by the fast-sailing British frigates, and valuable merchantmen occasionally met a similar fate.[2]

During the war of the Revolution the privateers often displayed an honorable chivalry in engaging vessels of war, that sufficiently shows the spirit of their commanders; and we find them nearly always ready, when occasion offered, to quit their more specific occupation, that of assailing the enemy's commerce, in order to lend their aid in any of the military or naval expeditions of the country, that required it. Many sharp actions occurred, and quite as often to the advantage of the private armed cruisers as to that of the enemy. Their enterprises proved so destructive to English commerce that small privateers constantly sailed out of English ports with a view to make money, by re-capturing their own vessels; the trade of the colonies, at that time, offering but few inducements to such undertakings.

On June 13th, 1779, the privateer schooner, *Baltimore Hero*, mounting 12 guns, and commanded by Captain Earle, sailed out of the port of Baltimore, bound for the Island of St. Eustatia, in company with the privateer brigs *Lively*, Captain Belt, the *Lady Washington*, Captain Greenway, and four pilot boats. When off the mouth of the Rappahannock River they fell in with two of the enemy's privateers, each mounting 12 guns, with two prizes they had captured in the bay. Immediately upon coming to close quarters, Captains Earle and Belt engaged them, when a severe contest ensued, which lasted two hours and a-half. The Baltimore privateers would, in all probability, have captured the British vessels had not two brigs and several schooners of their fleet borne down to their assistance. The American privateers, however, recaptured one of the prizes and sent her up the Rappahannock, and then made the best of their way up the bay, being chased in the meantime as far up as Point-no-Point. The *Baltimore Hero* had three of her men wounded and was severely damaged in her hull, sails and rigging. The *Lively* had two men killed and was also much shattered.

In April, 1781, the Baltimore privateer schooners *Antelope* and *Felicity* from the West Indies, off the mouth of the Patuxent River, fell in with and captured the English privateer schooner *Jack o' the Lanthorn* from New York, mounting six guns and carrying 36 men. In January, 1783, the schooner *Antelope*, Captain Garston, again captured at sea, after a slight contest, a

[1] The sensation produced among the British merchants by the damages inflicted upon their commerce by American privateers, caused insurance to rise and even deterred British merchants from shipping goods in English bottoms. Insurances, in some instances rose as high as 25 per cent. and for a short period in 1777, 10 per cent. was asked between Dover and Calais.

[2] Marshall's *Washington*, iii., p. 28. Cooper's *Naval History*. Almon's *Remembrancer*.

British privateer from New York, mounting three heavy guns and carrying thirty men. On the 2d of July, 1781, the brigantine *Ranger*, Captain Thomas Simmons, mounting seven guns and twenty men, sailed from Alexandria, and when bound down the Potomac, was attacked near the mouth of St. Mary's River by the notorious Anderson and Barret, commanders of two refugee barges carrying thirty men each. After a desperate engagement, which continued without intermission for three hours, the barges were obliged to sheer off with the heavy loss of fifteen killed and thirty-four wounded. Captain Simmons, of the brigantine, was wounded in the leg, his second-lieutenant in both arms, one of his men killed and several wounded. The Maryland *Gazette*, in detailing this gallant affair, says: "Nothing could exceed the bravery of Captain Simmons, his officers and crew, having three men to one to oppose, and the night being dark, the barges could not be discovered until they were nearly alongside, which gave them but a moment's warning."[1] The barges returned "with their mangled crew" to their rendezvous on St. George's Island, and the privateer, having no surgeon on board, was compelled to return to Alexandria.

Lieutenant Joshua Barney, in command of a pilot boat tender, captured one of the enemy's barges in Tangier Sound in 1778, and after a smart action, recaptured a large sloop that had been boarded while at anchor. Shortly after, at the solicitation of a Baltimore merchant, he took command of "a fine schooner, armed with two guns and eight men," with a cargo of tobacco for St. Eustatia. He was not fortunate enough to reach the Capes, for while sailing down the bay he was met by an English privateer with four large guns and sixty men, and after a running fight, he was overtaken, boarded and captured. He lost one man killed and two wounded. The enemy landed Barney and his crew at Sinepuxent, on the Eastern Shore, and carried off the schooner and her cargo. In April, 1782, while the Delaware Bay and River were infested with numerous "refugee barges and privateers," the State of Pennsylvania fitted out a number of armed vessels, and placed Lieutenant Joshua Barney in command of one called the *Hyder Ally*, mounting sixteen six-pounders, and carrying one hundred and ten men. In a short time he received instructions to convey a number of merchantmen to sea; and while in this service, an engagement ensued between his ship and the sloop-of-war *General Monk*, mounting twenty nine-pounders, and carrying one hundred and thirty-six men, under the command of Capt. Rodgers of the Royal Navy. By the skillful seamanship of Barney, he gained a raking position of the enemy, and in this position, within pistol shot, the two vessels fought desperately for half an hour, when the *General Monk* struck her colors. Cooper says:

COMMODORE BARNEY.

[1] July 18.

"This action has been justly deemed one of the most brilliant that ever occurred under the American flag. It was fought in the presence of a vastly superior force that was not engaged, and the ship taken was in every essential respect superior to her conqueror."[1] Both vessels arrived at Philadelphia a few hours after the desperate action, bearing their respective dead. The *General Monk* lost twenty men killed and had thirty-three wounded. Among the former were the first lieutenant, purser, surgeon, boatswain and gunner; among the latter were Captain Rogers and every officer on board, except one midshipman. The *Hyder Ally* had four men killed, and eleven wounded. The *General Monk* was formerly the American ship *General Washington*, captured by Admiral Arbuthnot, and placed in the British service under her new name. Barney restored the old name to his prize and made a secret voyage in her to the West Indies. Off Turk's Island he fell in with a British privateer brig mounting sixteen guns, and, after a short engagement, one of the enemy's shot cut away his main-mast at the moment the British privateer was about to surrender, which by this means escaped.

In March, 1776, the inhabitants of Annapolis and Baltimore were thrown into the greatest consternation by the approach of his majesty's sloop-of-war *Otter* and several tenders. On the 5th, these vessels passed up the bay, and many persons for fear of a bombardment hastily removed their effects to places of safety. To increase their alarm the enemy had burnt a small shallop loaded with oats, and in the evening anchored off the City of Annapolis. To dissipate the general alarm, immediately after the *Otter* came to anchor Governor Eden made application to the Council of Safety for permission to send a flag of truce on board. The Council of Safety gave the necessary permit and by order of the governor and with the approbation of the president of the Council of Safety, Mr. Eddis, on the 7th of March, repaired on board the sloop, which was then lying at anchor in the Chesapeake, between the Magothy River and the Bodkin. Captain Squires informed Mr. Eddis "that it was furthest from his intentions to proceed to any extremities; that he was instructed to demand a privateer, avowedly fitted out at Baltimore for hostile purposes; as also some vessels laden with flour, of which the navy were in the greatest want; that he was ready to pay the market price for any provisions that the inhabitants would supply him with; but otherwise he was under an absolute necessity to seize whatever might come within his power. Captain Squires promised that if his requisitions were complied with, not the least damage should ensue to any individual, or to the Town of Baltimore."[2] On their way up the bay the enemy captured in the Patuxent a New England schooner, and two or three small vessels. Expresses were sent to all the adjoining counties, with orders to the militia to hold themselves in readiness to march in defence of Annapolis or Baltimore in case the enemy made an attempt to capture them.[3] While Mr. Eddis

[1] *Naval History*, i., p. 269.
[2] Eddis' *Letters*.
[3] The provincial records were removed from Annapolis to Upper Marlborough.

was on board the *Otter*, Captain James Nicholson determined to retake the prizes, and, if possible, capture the sloop-of-war. Notwithstanding the *Defence* was not yet fully completed, he hastily got her ready, and after shipping a number of volunteers, with a portion of Captain Samuel Smith's company, as marines, bore down upon the enemy, accompanied by several smaller vessels crowded with men. Early in the afternoon they appeared in sight of the enemy's tender, which had captured a "ship with a valuable cargo, then lying at anchor and ready for sea." The tender "reluctantly" relinquished her prize and hastened to the *Otter*, about four or five miles lower down, followed by the *Defence* and her consorts. The *Otter*, intimidated by the determined action and formidable appearance of this little squadron, bore away down the bay, and anchored on the 9th at Annapolis. Captain Nicholson, thinking it imprudent to risk an action, as he had such valuable prizes under his care, returned with them to Baltimore. In the afternoon, Captain Squires sent two flags of truce to the governor in relation to obtaining supplies for his ship, but being unsuccessful, about noon on the 10th, he made sail to join the English fleet on the Virginia station.[1] On their way down the bay they pillaged a small island on the eastern shore, and then anchored off Chariton Creek, in Northampton County, near where the militia companies of Captains Henry and Kent were stationed. Here they found several schooners in a creek, one of which they captured. As they were endeavoring to carry out one of the schooners it ran aground, and to prevent her removal, the militia, during

[1] "DEAR SIR: I did not know until I had finished the inclosed that the bearer did not intend to call on Mr. Carroll. As that letter represents our present situation I thought it as well it should go forward to you. I hope, in God, by to-morrow night to furnish you a good account of the Tender and Hudson's ship, and that the issue of this affair will reflect some little honor on the spirit of Maryland.

"At 3 o'clock yesterday, our militia companies in town were paraded at the committee-room, when at the very moment, a false alarm came from the point that the ship-of-war's boats were standing up to cut off some empty vessels we had collected and got ready to sink across the river at Whetstone in case the ship should come up before we could get our breastworks and the ship *Defence* completed. A deputation of the committee were appointed to sit and give all orders before the alarm spread. But such was the ardor of the militia, that not a man would stay in the committee-room with me but Mr. Harrison. The ardor and spirit of our inhabitants has convinced me they will behave bravely. I never was better pleased than at their conduct on the alarm.

"I am convinced we shall, in a very short time, have our town in a very respectable state of defence, and that I will be convinced the care of us will not be thrown away in vain.

"I never saw the barrister in better spirits than yesterday. He was immediately at the point on the alarm being spread. Captain Samuel Smith's whole company, as I believe, are gone volunteers on board the *Nicholson*, and many others would have gone had he room or service for them. By a proposal which our committee offered between 3 and 4 o'clock yesterday, of giving $8 per week for two weeks, to any brave sailors who would instantly go on board, we, in less than half an hour, got near a dozen brave fellows and several masters of ships to go on board, and in half an hour after had the ship under way—and several others offer to join the schooner. I found this bold stroke absolutely necessary, as the ship was really poorly off for sailors, and the captain seemed to have no great dependence on his marines. Your letter, with the thousand pounds by Captain Hyde received before sunset. I hope you will be perfectly easy about your safety at Annapolis. I am certain *Nicholson* will at least give the *Otter* a convoy past your port. For God's sake let not the contents of my letter to the barrister be made too public, lest my intelligence should be conveyed to Captain Squire to apprise him of our designs. I am, sir, your very respectful and humble servant,

"SAMUEL PURVIANCE, JR.

"*To Hon. Daniel of St. Thomas Jenifer, Esq.*"

the night, threw up a small breastwork on shore opposite the schooner. Early the next morning the British tender, which had entered the creek, attempted to dislodge them, but after a heavy fire of over an hour, she was driven off without her prize. In a short time the enemy withdrew, and the Maryland militia returned to the province.

These depredations hastened the necessity of completing the defences at Baltimore and Annapolis, which had been ordered by the provincial convention. At the former town, over two hundred and fifty negroes had been employed in providing timber, logs, etc., in the erection of a boom between Whetstone Point and the Lazaretto, and building batteries and mounting guns. Contracts were entered into with Daniel and James Hughes, of Antietam, George Matthews, of Baltimore, and John Yoast, of Georgetown, for the manufacture of cannon; while in the meantime a number were borrowed from the Committee of Safety of Philadelphia. There was a great scarcity of arms and ammunition early in the year; but the arrival of two vessels, loaded with powder, in the Delaware and on the Eastern Shore, for the province, the immediate demand was supplied and some lent to Virginia. A chain was also stretched, supported by twenty-one sunken schooners, across the narrow neck of the harbor of Baltimore. This, however, was removed soon after the affair with the *Otter*. Beacons or signal stations were also established on the shores of the Patapsco and the Chesapeake, for communicating intelligence of the approach of the enemy; and at the suggestion of Virginia, George Plater and John Dent were, on March 19th, appointed commissioners to co-operate with Colonol Mercer and Colonel Peachey, the Virginia commissioners, to erect signal stations on the north and south banks of the Potomac. One of these signal stations was placed in Prince George's County, nine in Charles and three in St. Mary's, averaging about five miles apart. To co-operate with the Maryland naval forces, Virginia also built, in February, two row-galleys, one carrying a twenty-four and the other an eighteen-pounder, and also provided three armed cutters for the protection of the Potomac River. The Council of Safety at Baltimore, also fitted out the schooner *Resolution* as a tender for the *Defence*.

While these defences were in progress by Maryland and Virginia, congress thought there was reason to apprehend that the enemy intended to direct their operations in the ensuing campaign against the middle and southern colonies, and, therefore, in order to prepare for their defence, divided these colonies into two departments. The first comprised New York, New Jersey, Pennsylvania, Delaware and Maryland, which were placed under the command of Major-General Schuyler, with Brigadier-Generals Thompson and Lord Stirling. Major-General Charles Lee was to command Virginia, North and South Carolina and Georgia. General Lee set out about the 8th of March to assume command of his department, and soon after arrived at his head-quarters, Williamsburg, Virginia. Shortly after his arrival a correspondence was intercepted in the bay by Captain James Barron, commanding one of the

public vessels, between Gov. Eden and Lord George Germaine, of the English ministry. In this correspondence, Gov. Eden was assured that his previous conduct was approved by his majesty, and he was directed to hold himself in readiness to assist the operations of an armament intended against the southern colonies. There was more to excite jealousy in the existence of such a correspondence, and the manner of its transmission, than in the character of the communication. It was transmitted through the obnoxious Earl of Dunmore, the late royal governor of Virginia, and intercepted in the bay on the person of Alexander Ross, a citizen of Maryland, returning from a visit to Dunmore's fleet, made under the sanction of the Council of Safety. The correspondence was immediately forwarded by Captain Barron to General Lee, by whom it was sent, on the 6th of April, to Samuel Purviance, the chairman of the Committee of Safety at Baltimore, with an urgent request to direct the commanding officer of the provincial troops at Annapolis immediately to seize the person of the governor. The convention not being in session at the time of the arrival of this intelligence, and Mr. Purviance believing that the precaution was necessary, and that he had the power, as chairman of the Committee of Safety, to order the arrest, instructed Captain Samuel Smith, of Colonel Smallwood's battalion, on the 18th of April, to proceed to Annapolis, seize the person and papers of Governor Eden, and detain him until the will of congress was known.

Captain Smith, with ten men and a sergeant, went on board the *Resolution*, commanded by Lieutenant John Nicholson, and immediately proceeded to Annapolis. Upon their arrival, the Council of Safety of Annapolis, offended at this assumption of authority, forbade the arrest, whereupon Captain Smith returned to Baltimore.

On the day Captain Smith sailed, the Committee of Safety at Baltimore, enclosed the captured letter, with one addressed to Hon. John Hancock, president of congress, to which he immediately replied:

"PHILADELPHIA, April 16th, 1776.

"*Gentlemen:*—I received, and immediately communicated to congress, your letter of the 14th, with the important papers enclosed. In consequence of which, the congress have resolved that the person and papers of Governor Eden be immediately seized by the Committee of Safety, to whom I write by this opportunity. The person mentioned in the enclosed resolution (Mr. Alexander Ross) is represented as a dangerous partizan of administration, who has lately been with Lord Dunmore, and, it is suggested, on his way to the Indian country, to execute the execrable designs of our enemies. I have no doubt but you will exert your utmost endeavors in seizing and securing him.

"I am, with respect, gentlemen,

"Your most obedient servant,

"JOHN HANCOCK, *President.*

"Honorable Committee of Baltimore."[1]

On receipt of this letter with the resolves of congress, the Council of Safety, in a letter to congress dated April 18th, 1776, say, that some time

[1] Purviance, *Narrative*, p. 53. *American Archives*, 4th series, v.

before the receipt of theirs they had taken such measures as in their judgment were competent to the occasion. They say, "to dissolve the government, and subvert the constitution by the seizure and imprisonment of the governor we conceived to be a measure of too much delicacy and magnitude to be adopted without calling and consulting the convention of this province; we see no necessity urging us to make an extreme, and we are therefore determined not to expose the province to immediate anarchy and convulsion if an assurance could be obtained from the governor, that he would not depart before our convention met to decide upon this important business. He cheerfully gave us this assurance, and we feel no apprehensions of danger from him. Under these circumstances we cannot comply with the request of congress in any other manner than we have done, and flatter ourselves they will rest satisfied and consider us excusable."

In conclusion they say, "permit us, sir, to assure you that we are determined to maintain the rights and liberties of this country at any hazard of life and property, and will vigorously procure every measure which the defence of America shall require."

In another letter, dated April 22d, 1776, to the Maryland delegates in congress, they say, "nobody can believe that we are courting the governor at present; 'tis the peace and happiness of the province we wish to preserve, and we are persuaded that it will be best done by keeping up the ostensible form of our chartered government. We feel for you; the insult offered by Mr. Hancock in not admitting you to his measures must have been grating, as our province is the object of attention, and we are to be plunged into all the horrors of anarchy, only to gratify a few individuals out of congress. However, we shall still persevere in doing our duty with unremitting zeal, and not fail to assist our neighbors if necessary, and upon the whole, after again repeating our thanks, permit us to assure you that we are persuaded when our transactions come to be fully canvassed, and the true interest of this province considered, that you will have no occasion to blush for our conduct."

Among the most distinguished and leading men of Maryland during the Revolution, were three eminent representatives of an ancient Irish family, viz.: Charles Carroll, of Carrollton; Charles Carroll, barrister; and Reverend John Carroll, D.D. They were all descended from Daniel and Dorothy Carroll, of Ely and O'Neill, Ireland, whose ancestry is veiled in the mists of remote antiquity. "This Daniel Carroll," it is said, "had twenty sons, whom he presented in one troop of horse all accoutred in habiliments of war, to the Earl of Ormond, together with all his interest for the service of King Charles the First. Most of these died in foreign service, having followed the hard fate of King Charles the Second." From this Daniel's many sons is presumed to have sprung all the different branches of the house of Carroll. The eldest son of Daniel and Dorothy Carroll was named Daniel, who had two sons, Charles and John. Charles married Clare Dunn, who was the daughter

of the great O'Connor Dunn (or Don), her mother being Jane Bermingham, daughter of Edward Fitz Richard, the seventeenth Lord Athenry. He had three children, Dr. Charles Carroll, the father of Charles Carroll, barrister of Maryland; John Carroll, who died at sea; and Dorothy Carroll, a daughter. John Carroll, the second son of Daniel Carroll, "was the father of Sir Daniel O'Carroll, who, at the instance of the Duke of Ormond, was made colonel of a regiment of horse, being also by Queen Anne created a baronet, was knight of the order of Arragon in Spain, and died lieutenant-general of his majesty's forces in 1750."

Dr. Charles Carroll, the eldest son of Charles Carroll and Clare Dunn, came to America about the year 1715 and resided in Annapolis. He was educated in England as a Roman Catholic, but soon after his settlement in the province renounced his faith and became a Protestant. For many years he practiced medicine, but gave it up and actively entered into mercantile business, at which he amassed a considerable fortune. He accumulated a large landed estate, especially in and near the City of Baltimore, including "Carroll's Island," "Mount Clare," "The Plains" near Annapolis, "Clare Mont," now the residence of Hon. Carroll Spence, late Minister to Turkey, and "The Caves," the present residence of General John Carroll, in Baltimore County. Dr. Charles Carroll represented Anne Arundel County in the Lower House of Assembly in 1737, and continued to do so until the day of his death. He married Dorothy Blake, daughter of Henry Blake, of an ancient family in Hampshire, England, and had three children—Charles Carroll, barrister, Mary Clare Carroll and John Henry Carroll. Mary Clare Carroll married on the 21st of July, 1747, Nicholas Maccubbin, and had several children; John Henry Carroll died *sine prole*. Dr. Charles Carroll, after a lingering illness, died on Monday, September 29th, 1755, at his residence in Annapolis, aged 64 years. His only son, Charles Carroll, barrister, was elected to fill his seat in the Lower House of Assembly. He was born on the 22d of March, 1723, and at an early age was placed at college under the immediate tuition of the Rev. Edward Jones, at the English House, in Bairro Alto, West Lisbon, Portugal. When about sixteen years of age he was removed to the celebrated school of Eton, in England. Desiring to devote his talents to the legal profession, in 1740 he entered the University of Cambridge, and studied with Daniel Dulany, who was then a student in the same college. With a mind thoroughly educated and trained, he commenced the study of law in the Middle Temple, Garden Court, Library Staircase, No. 2. He returned to Maryland in 1746, and commenced the practice of his profession. Being thoroughly conversant with affairs at home and abroad, he was early called into public life, and became one of the trusted leaders of the Revolution. He held many public positions of great importance, of which we will speak more fully hereafter. He married on the 3d of June, 1763, Margaret Tilghman, daughter of Hon. Matthew Tilghman, and had two children—twins, who died in infancy. He died at his residence, Mount Clare, near

Baltimore, on the 23d of March, 1783, aged sixty years and one day, leaving his estate to his nephews, Nicholas and James Maccubbin, the sons of his sister, Mary Clare Carroll and her husband, Nicholas Maccubbin, upon condition that they take their mother's maiden name, Carroll, "and that only, and use the coat of arms forever after." The will was dated 7th August, 1781, and the codicil 23d March, 1783.[1]

The Convention of Maryland again assembled on the 8th of May, 1776, and Charles Carroll, barrister, was chosen its president. In consequence of a

CHARLES CARROLL, BARRISTER.

complaint laid before it by the Council of Safety, relative to the conduct of Mr. Purviance, (in attempting to arrest Governor Eden,) it appointed James Hollyday, Robert Goldsborough and Thomas Johnson a committee to inquire into the charges. The committee reported on the 10th of May, severely censuring Mr. Purviance; and on the 22d the convention concluded its resolution of censure in the following terms:

"That this convention are therefore of opinion, that justice would well warrant a more exemplary punishment to be inflicted on the said Samuel Purviance for his said

[1] George A. Hanson, *Old Kent.*

misdoings; but that in consideration of his active zeal in the common cause, and in expectation that he will hereafter conduct himself with more respect to the public bodies necessarily entrusted with power mediately or immediately by the people of this province, and will be more attentive to propriety, this convention hath resolved, that the said Samuel Purviance for his said conduct be censured and reprimanded, and that Mr. President do from the chair censure and reprimand him accordingly, and that he be thereupon discharged.

"And thereupon, the said Samuel Purviance, junior, being called in, and being at the bar of this house, Mr. President communicated to him the resolve of convention, and did censure and reprimand him accordingly."

On the second day after this reprimand, the convention adopted the following resolutions relating to Governor Eden, who had been exercising the duties of his office under a parole given to the Council of Safety:

"*Resolved*, That it is the opinion of this convention, that the council of safety of this province, upon the subject of the late intercepted letters to Governor Eden, duly and properly exercised the powers delegated to them.

"*Resolved*, That it is the opinion of this convention, that upon the evidence before them of the correspondence which his Excellency Governor Eden has, from time to time, held with administration, it does not appear that such correspondence has been with an unfriendly intent, or calculated to countenance any hostile measures against America."

After reciting in the preamble of the last resolution the contents of the intercepted letters, and the duty of the governor in obeying the instructions of his government, it resolved, "that it be signified to the governor that the public quiet and safety in the judgment of this convention, require that he leave this province, and that he is at full liberty to depart peaceably with his effects."[1]

William Paca, Thomas Johnson, George Plater and James Hollyday were appointed a committee to wait on the governor and present him with the resolutions and an address which was couched in terms manifesting the most sincere regard for him.

The Convention of Virginia was much irritated with these proceedings, and on the 31st of May, 1776—

"*Resolved*, *unanimously*, That the committee of safety be directed to write a letter to the president of the convention of Maryland, in answer to his letter of the 26th inst., expressing the deepest concern at the proceeding of that convention, respecting Governor Eden, and our reasons for not becoming accessory thereto, by giving him a passage through this colony, or the bay adjoining: that we would with reluctance, in any case, intermeddle in the affairs of a sister colony, but in this matter we are much interested. That considering the intercepted letter from Lord George Germain to Governor Eden, in which his whole conduct and confidential letters are approved, and he is directed to give facility and assistance to the operations of Lord Dunmore against Virginia, we are at a loss to account for (the council of safety of Maryland), their having neglected to seize him, according to the recommendation of the general congress."

Notwithstanding this remonstrance from a sister colony, and the resolutions of the convention, Governor Eden still remained under his parole, until

[1] *Proceedings of Convention*, 1776, p. 150.

an opportunity offered for his safe departure. In the meantime, there was a strong and increasing disposition among the people to lay violent hands upon him even against the injunctions of the convention. This was fomented by a formidable organization called the "Whig Club" in Baltimore, who, Mr. Eddis says, "loudly proclaimed the absolute necessity of seizing and securing the person of the governor, as a pledge of the public safety; and it is asserted that a plan is actually in agitation to accomplish this purpose."

As the General Assembly of the province had by constant prorogation been prevented by the governor from transacting any public business since the 19th of April, 1774, and as the time limiting their continuation expired on the 14th of August, 1775, as a last resort to continue the proprietary form of government, he issued his proclamation on the 12th, dissolving the old assembly and ordering writs of election on the 14th for a new assembly, returnable on the 25th of July, 1776. When the convention met on the 21st of June, they determined to disobey his authority, and, therefore, on the 25th, "*Resolved*, that the said writs be not obeyed, and that no election be made in consequence thereof." This order was obeyed, and the proprietary authority in Maryland became extinct. Governor Eden was now compelled to leave the province, and upon the arrival of his majesty's frigate *Fowey*, Captain James Montague, he departed from Annapolis on the 24th of June, 1776.[1] "Till the moment of the governor's embarkation on the 23d," says Mr. Eddis:

"There was every reason to apprehend a change of disposition to his prejudice. Some few were even clamorous for his detention. But the Council of Safety, who acted under

[1] "Mr. Eden, the last Proprietary Governor of Maryland, was very much beloved and highly esteemed by the citizens of Annapolis, as well as the leaders of the Revolutionary party. Some time after the commencement of hostilities, and long before the Declaration of Independence, he requested Barrister Carroll to invite Mr. Johnson (afterwards Governor), Mr. Chase, and the most distinguished of the Whig party, to dine at the Government House. Mr. Carroll, who was very intimate with Mr. Johnson, called on him and told him that the Governor had placed him in a very awkward and delicate situation by the request, and that he was at a loss how to act. Mr. Johnson immediately answered that it would be the best plan for him (Mr. Carroll) to invite to his own house as many gentlemen as he chose, and the Governor with them. He replied that it was a lucky thought, and that he would follow the advice. Accordingly, on the next day, he invited the Governor, with Messrs. Johnson and Chase, and many more of the most prominent characters, to dine with him. Shortly after the company sat down to dinner, and were helped around, the Governor, addressing himself to the company, said: 'It is understood in England that the Congress are about forming a treaty of alliance with France.' A momentary silence prevailed, when Mr. Johnson answered: 'Governor, we will answer your question, provided you will answer one for us.' It was agreed to. 'Well, sir, we will candidly acknowledge that overtures have been made to France, but that they are not yet accepted. Now, sir, we understand that the king, your master, is about subsidizing a large body of Hessians, to join his forces to come over to cut our throats.' He answered that he believed the report was true. Mr. Johnson immediately rejoined in the following words: 'The first Hessian soldier that puts his foot on the American shore will absolve me from all allegiance to Great Britain.' Chase exclaimed—'By G—d, I am for declaring ourselves independent!' The Governor immediately dropped his knife and fork, and did not eat another mouthful.

"Thus, we see that the resolution to become independent was expressed long before it was done in Congress; Messrs. Johnson and Chase were among the list of proscribed patriots, with Hancock, the Adamses, Jay, Dickinson, the Lees of Virginia and Rutledges of South Carolina, together with Paca, Stone and Hall, of the western, and Tilghman, Goldsborough and Hammond, of the eastern shore, composed that noble band of patriots, which guided the Councils of Maryland in that trying and almost hopeless effort to secure the liberties of America."—*Baltimore Chronicle*; 1833.

Governor Eden returned to Annapolis after the Revolutionary War, and died there in September, 1784.

a resolve of the convention, generously ratified the engagements of that body; and after they had taken an affectionate leave of their late supreme magistrate, he was conducted to the barge with every mark of respect due to the elevated station he had so worthily filled.

"He escaped in good season; for the occurrences of that day following his embarkation, effected an entire revolution in public feeling. Some deserters were received on board the *Fowey* on the evening of that day, whom Captain Montague refused to surrender; and upon application to Governor Eden, he professed his inability to effect their restitution. This proceeding was a gross breach of confidence, as the vessel had been permitted to come up under the flag of truce, and as such was highly resented. All communication with the vessel was instantly stopped; the governor's property, which was not yet embarked, was detained, and the ship departed without it, on the evening of the 24th."[1]

On the 6th of July, the Convention of Maryland took into consideration the resolutions adopted by the Virginia convention, on the 31st of May, relative to the Maryland proceedings in Governor Eden's case, and adopted the following resolutions:

"*Resolved*, That this convention cannot but be of opinion that the said resolution of the convention of Virginia were not only hasty, and made without due and proper reflection, but betray a disposition to interfere in the affairs of this colony; and that that resolution might have proved highly injurious to the general interest of America, by infusing groundless jealousies and effecting fatal divisions.

"That this convention never intermeddled, nor was disposed to interfere with the affairs of Virginia, but hath at all times shewn a due and proper respect to the convention of that colony, and all occasions must have evinced their sincere and tender regard for the people thereof; and this convention cannot be of opinion, that the convention of Virginia could believe that this convention promoted governor Eden's passage 'to assist in their destruction under a pretence of his retiring to England.'

"That this convention, and the council of safety for the time being, were the only proper and adequate judges of the propriety and expediency of suffering Governor Eden to depart out of this province, and have proceeded in that matter upon evidence which was satisfactory to themselves, and to which the convention of Virginia were strangers."

This unwarrantable action of Virginia was not the only cause of apprehension in Maryland, ever jealous of any interference with the rights of the people, and determined to maintain unimpaired the complete independent sovereignty of her internal government. They were increased by a measure of congress, adopted on the 10th of May, which recommended a general dispensation with the oaths of allegiance to the crown, the total suppression of authority under the British Government, and the establishment of a permanent constitution and form of government. This proceeding the convention regarded as an interference with their independence, and on the 21st of May, they represented in a set of resolutions the full efficiency of the convention to call into action all the resources of the province, and its entire willingness to redeem its pledges to the common cause, and to enter into any further engagement "which might be necessary to preserve the constitutional rights of America;" but they asserted, as preliminary to these, the exclusive right

[1] McMahon, p. 436.

of the people of Maryland to regulate its internal government and police. As if to render this right more manifest, in re-appointing their delegates to congress, they again subjected them to the instructions of the preceding January, the nature of which has already been exhibited.[1] And on the 25th of May they declared that:

"WHEREAS, The good people of this province have taken up arms to defend their rights and liberties, and to repel the hostilities carrying on against them, and whilst engaged in such a contest, cannot, with any sincerity or devotion of heart, pray for the success of his majesty's arms; therefore *Resolved*, That every prayer and petition for the king's majesty, in the book of common prayer and administration of the sacraments and other rites and ceremonies of the church, according to the use of the church of England, except the second collect for the king in the communion service, be henceforth omitted in all churches and chapels in this province, until our unhappy differences are ended."

To identify Canada with the cause of the American Colonies, or to procure her neutrality, congress on the 15th of February, 1776, "Resolved that a committee of three—two of whom to be members of congress—be appointed to repair to Canada, there to pursue such instructions as shall be given them by that body." Charles Carroll, of Carrollton, and Samuel Chase, of Maryland, and Dr. Benjamin Franklin, of Pennsylvania, were selected for the purpose. Messrs. Chase and Franklin were members of congress, and by a special resolution, Charles Carroll, of Carrollton, was requested "to prevail on Mr. John Carroll to accompany the committee to Canada to assist them in such matters as they shall think useful."

Mr. John Carroll, the cousin of Charles Carroll, of Carrollton, was born in Upper Marlborough, Maryland, January 8th, 1735. Educated at St. Omer's, Liége and Bruges, he was ordained a priest in 1769, and became a Jesuit shortly after. In 1770, he accompanied Lord Stourton on a tour through Europe as private tutor, and in 1773, on his return to Bruges, accepted a professorship in the college. After a residence in England, he returned to Maryland in 1775, and entered upon the duties of a parish priest. He accepted the mission to Canada, and in 1786 was appointhd vicar-general of the United States and fixed his residence at Baltimore. In 1789, he was named first Roman Catholic bishop of the United States, and went to England in the summer of 1790, where he was consecrated, August 15th. In the same year he returned to Baltimore, and as the Episcopal See was established in that city, assumed the title of Bishop of Baltimore. In 1791, he founded St. Mary's College, and, in 1804, obtained a charter for Baltimore College. A few years before his death, December 3d, 1815, he was raised to the archiepiscopacy. It was estimated that at the time he was invited to accompany the Canada commissioners there were 150,000 Catholics, and only 360 Protestants within the Province of Quebec; and it was therefore thought probable, that the representations of their co-religionists would have most weight in inducing that province to join the American cause.

[1] McMahon, p. 431.

On the 2d of April, 1776, the commissioners left New York, on the mission, as declared in the instructions, "to promote or form a union between the colonies and the people of Canada."

"They were directed further, to declare that we held sacred the rights of conscience, and should promise to the whole people, solemnly, in the name of congress, the free and undisturbed exercise of their religion, and to the clergy the full, perfect and peaceable possession and enjoyment of all their estates;

ARCHBISHOP JOHN CARROLL.

that the government of everything relative to their creed and clergy should be left entirely in the hands of the good people of that province, and such legislature as they should constitute; provided, however, that all other denominations of Christians should be equally entitled to hold offices, and enjoy civil privileges and the free exercise of their religion, as well as be totally exempt from the payment of any tithes or taxes for the support of religion."[1]

[1] Col. Mayer's *Journal of Charles Carroll, of Carrollton.* Maryland Historical Society, p. 20.

The commissioners arrived at Montreal on the 29th of April, but found the state of affairs in Canada by no means such as to encourage any just hope of success to their mission. Besides the negligence and mismanagement which had been displayed by the American Congress, the British agents assiduously pointed out to the great mass of Roman Catholics the inconsistencies between the address of congress to the people of Great Britain and that addressed to the people of Canada.

By "the Quebec Act," passed by parliament, all Roman Catholics of the Province of Quebec were empowered to hold and enjoy the free exercise of their religion, and their priests were permitted to hold, receive and enjoy, their accustomed dues and rights. They were also released from taking the oaths required by the statute of I. Elizabeth, or any other substituted in its place.

In contrast with this tolerant and liberal spirit, congress in their address to the people of England, adopted the 21st of October, 1774, had used the following unwise language in reference to the "Quebec Act":

"Nor can we suppress our astonishment that a British parliament should ever consent to establish in that country a religion that has deluged your island in blood, and dispersed impiety, bigotry, persecution, murder and rebellion, through every part of the world." And, "that we think the legislature of Great Britain is not authorized by the constitution to establish a religion fraught with sanguinary and impious tenets," etc.

The effects of this address upon the Canadians cannot be more clearly exhibited than the following contemporaneous letter, dated Montreal, March 24th, 1775:

"The address from the Continental Congress attracted the notice of some of the principal Canadians; it was soon translated into very tolerable French. The decent manner in which the religious matters were touched, the encomiums on the French nation flattered the people fond of compliments. They begged the translator, as he had succeeded so well, to try his hand on that addressed to Great Britain. He had equal success in this, and read his performance to a numerous audience. But when he came to that point which treats of the new modelling of the province, draws a picture of the Catholic religion, and Canadian manners, they could not contain their resentment, nor express it but in broken curses. 'O! the perfidious double-faced congress! Let us bless and obey our benevolent prince, whose humanity is consistent, and extends to all religions; let us abhor all who would seduce us from our loyalty, by acts that would dishonor a Jesuit, and whose addresses, like their resolves, are destructive of their own objects.'"[1]

The commissioners used every effort in their power, but after hearing such sentiments, the Canadian clergy were not disposed to receive with much favor the declarations made by the Continental Congress. Ill-health caused Dr. Franklin to return in a few days. The others remained till after the

[1] *American Archives*, 4th series, ii., p. 231.

American forces retreated to Sorel preparatory to evacuating Canada, when they left for Philadelphia, arriving there early on the morning of June 11th, 1776. Having already thrown off the proprietary government, Maryland had but one step more before her, that of renouncing dependence on Great Britain. Yet this step the province for a while hesitated to take. In fact, her peculiar position operated both as a stimulus and as a restraint to such a course. The exceptional independence conferred by her charter had given her people a boldness and irresponsibility in the regulation of their internal affairs almost equalling the freedom of an independent State; and this made them feel more keenly and resent with more spirit the encroachments of the British Government. On the other hand, and for the same reason, they had less to complain of in the past than most of the other colonies, and their uneasiness had been caused rather by apprehension for the future than experience of the past. Notwithstanding recent insults and injuries, there was still a strong attachment to the mother-country, with which Maryland maintained a closer connexion than did the New England colonies. Her staple products found a ready sale in English markets, and intimate relations were established between her planters and factors, and English merchants; and though England arrogated to herself most of the trade of the province, the colonists conceived that they received an ample equivalent in the protection given by the British flag to their commerce.[1]

Maryland also, being settled almost exclusively by immigrants from Great Britain, and having an Established Church, a branch of that of the mother-country,[2] the manners and customs of the province were closely assimilated to those of England. But she was quick to resent any interference with her local self-government, and the vigorous opposition she offered during the French and Indian War, to the requisitions of the crown, was the first great blow which British supremacy received on this side of the Atlantic. This was, as we have shown, the first act of the drama of Revolution. Her opposition to the Stamp Act carried with it a peculiar influence, and showed to the other colonies what as yet they knew not, of what stuff Marylanders were composed, and in what spirit they were prepared to resist aggression.

Independence of Great Britain was not generally desired at the beginning of the troubles. All the conventions of the province had, down to June, 1776, met and adjourned without the expression of a single opinion in its favor. In fact, if Great Britain would but retrace the few steps of which the people complained, there was nothing more that Maryland could reasonably desire. The proprietary government, even before the establishment of the convention, had lost its power to harm, and could be effectually curbed by the people.

[1] The British *Annual Register* for 1775, says: "The imports into Great Britain from Virginia and Maryland before the war, were 96,000 hogsheads of tobacco, of which 13,500 were consumed at home; and the duty on them, at £26 1*s.* each, amounted to £331,675. The remaining 82,500 were exported by our merchants to different parts of Europe, and brought a great deal of money into the kingdom. This single trade constantly employed 330 ships and 3,960 sailors."

[2] The church in Maryland was under the ecclesiastical rule of the Bishop of London.

They were governed by laws made by their own representatives, they were exempted from British taxation and parliamentary legislation, yet they were entitled to English citizenship and the protection of the flag of England. There can be no doubt that the convention spoke the exact truth, as well as their own feelings, when they said that until these latter troubles arose, the province "enjoyed a state of felicity not exceeded by any people we know of." These apprehensions once removed, what had Maryland to gain by any change? If independence could only be attained by such a union with the other colonies as would give them any authority over her, it was very clear that their power for interference and oppression would be far greater than that of England; and there was no reason to hope that they would be scrupulous or dainty in its exercise. The idea of a consolidated government, or any that did not preserve Maryland's full autonomy, would have been rejected by them with an indignant scorn which it could be wished were felt by all their descendants. Hence the extreme jealousy with which they resented any attempts on the part of congress to interfere with their local self-government, and the deliberate manner in which they refused to consider the question of independence, until, after ample discussion and repeated appeals to England, it became apparent that in no other way could their rights be secured.

Time was requisite to convince the great mass of the people of the necessity of a complete separation from their parent country, and the establishment of independent governments. The ablest pens were employed throughout the colonies in the winter and spring of 1776, on this momentous subject. The propriety and necessity of the measure were warmly discussed in the numerous newspapers, and in pamphlets. Influential individuals, in every colony, urged it as a step absolutely necessary to preserve the rights and liberties, as well as to secure the happiness and prosperity of America. Reconciliation, they said, on any terms compatible with the preservation and security of these great and important objects, was now impossible. In Maryland, under the influence of Chase, Paca, Johnson and Robert Goldsborough, the strongest opposition was gradually waning. These patriots were convinced that Great Britain intended to subdue the colonists at every hazard by force of arms, and therefore constantly insisted that the only resort lay in independence.

By the 15th of May, four colonies had taken a decisive stand. North Carolina authorized her delegates in congress to concur with the delegates from the other colonies "in declaring independency." Rhode Island had directed hers "to join in any measure to secure American rights." In Massachusetts, various towns had pledged themselves to maintain any declaration on which congress might agree; and Virginia had given positive instruction to propose that congress should make a Declaration of Independence.[1] The resolutions of Virginia were carried to congress by their mover in the convention—Colonel Nelson. On the 7th of June, Richard Henry Lee, in behalf of

[1] Frothingham, *Rise of the Republic*, p. 512.

his colleagues, submitted to congress a resolution declaring, "that the United Colonies are and ought to be free and independent States; that they are absolved from all allegiance to the British crown; and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved." This resolution was debated until the 10th of June, when it was postponed for three weeks, to enable the delegates, who were instructed to oppose the measure, to consult their constituents. Members of congress soon after requested their assemblies to express their sentiments on indepen-

WILLIAM PACA.[1]

dence. Matthew Tilghman, Thomas Stone and John Rogers, on the 11th of June, wrote to the Council of Safety for instructions, saying:

[1] William Paca was born in Harford county, October 31, 1740. After completing his academic course at the Philadelphia College, he was admitted a student at the Middle Temple, London, January 14, 1762, and practiced law at Annapolis soon after. He was a member of the General Assembly in 1771, and held many important positions, of which we will speak more fully hereafter. He married a daughter of Samuel Chew, and died in 1799. At the time of his death, he resided at Wye Hall, the Paca mansion, which was situated near the eastern extremity of Wye Island, about half a mile from the junction of Front Wye River and Wye Narrows. Wye Hall was built about 1790, by John Paca, the eldest son of William Paca, at a cost of $20,000. The design of architecture is the same as that of the President's Mansion at Washington, and is said to have been designed by the same architect, who also planned the original design of the Capitol at Washington. This building was destroyed by fire in February, 1879.

"The proposition from the delegates of Virginia, to declare the colonies independent, was, yesterday, after much debate, postponed for three weeks, then to be resumed, and a committee is appointed to draw up a declaration to prevent loss of time, in case the congress should agree to the proposition at the day fixed for resuming it. This postponement was made to give an opportunity to the delegates from those colonies which had not as yet given authority to adopt this decisive measure, to consult their constituents. It will be necessary that the Convention of Maryland should meet as soon as possible, to give the explicit sense of the province on this point; and we hope you will accordingly exercise your power of convening them at such time as you think the members can be brought together. We wish to have the fair and uninfluenced sense of the people we have the honor to represent, in this most important and interesting affair, and it would be well if the delegates to convention were desired to endeavor to collect the opinion of the people at large, in some manner or other, previous to the meeting of convention. We shall attend the convention whenever it meets, if it is thought proper we should do so. The approaching harvest will, perhaps, render it very inconvenient to many gentlemen to attend the convention. This, however, must not be regarded when matters of such momentous concern demand their deliberation. . . . We see with the deepest concern the attempts from various quarters to throw the province into a state of confusion, division and disorder; but trust the exertions of those who are the true friends of virtue and the American cause, will be adequate to the surrounding difficulties and dangers. From every account and appearance, the king and his ministers seem determined to hazard everything upon the success of the sword, without offering any terms to America which she ought to accept. That peace and security which every virtuous man in the country has so earnestly desired, seems not attainable in the present disposition of the ruling powers of Britain. . . . The question for postponing the Declaration of Independence was carried by seven colonies against five."[1]

The Council of Safety, on the 14th of June, responded to this letter as follows:

"We have already complied with almost everything you request, and we wish we had time to collect the fair and uninfluenced sense of our people on the most important point of independence, before the meeting of the Convention; but as the assembly of that body is already fixed to the twentieth of this month, it will be impossible to send express to the delegates who are distant, so that they could make the necessary inquiry before that time. We presume the first business of the Convention will be regulating the movement of the militia; and that, if necessary, in the meantime the several Committees of Observation may be directed fairly to collect the sense of the Province on the subject of Independence, and make report thereof to the Convention. Any mode their representatives may think proper to point out would be better relished by the people than for us to put them into a violent ferment in a way that might not be approved of: 'tis a point of great magnitude, and we think 'tis best, the shortness of time considered, to leave it untouched until the meeting of the Convention on Thursday next. Mr. Paca, no doubt, is with you before now. Messrs. Johnson and Goldsborough are still with their families, we hear. We wish to have you all down when the grand question is decided: we leave it, however, to yourselves to judge whether you can be spared from congress, and hope whatever is done will be generally agreed to."

The Maryland Convention assembled on the 21st of June, at Annapolis, with Matthew Tilghman as president, and immediately after organization adopted the following resolution:

[1] *American Archives*, 4th series, vi., p. 807.

"*Resolved*, That the president of the convention inform the deputies of this province in congress, that their attendance in convention is desired; and that they move congress for permission to attend here; but that they do not leave the congress without such permission, and without first having obtained an order that the consideration of the questions of independence, foreign alliance, and a further confederation of the colonies shall be postponed until the deputies from this province can attend congress, which shall be as soon as possible."

At the opening of the session of the convention there were present four members of congress: Messrs. M. Tilghman, Samuel Chase, Robert Golds-

THOMAS STONE.

borough and Thomas Johnson; absent, Robert Alexander, Thomas Stone, William Paca and John Rogers. Whether the absent members attended in accordance with the resolution adopted by the convention, we are unable positively to say, but do not think they did, as we find no reference to them in the proceedings of the convention. We know that Mr. Paca remained in Philadelphia.

In the meantime, the Council of Safety, in accordance with the wishes of the members of congress, had requested the county committees to call the freemen together to express their sentiments on the question of independence,

and before the convention had met, the popular movement in its favor was in full activity in all the counties. Matthew Tilghman, Thomas Johnson and Samuel Chase left congress to engage in the canvass and to rouse the people to instruct their delegates in convention to remove the restrictions which the convention had put upon them. The popular leaders who are found earliest identified with independence in the province are Samuel Chase, William Paca, Thomas Johnson, Matthew Tilghman, Charles Carroll, of Carrollton, Charles Carroll, barrister, John Rogers, Thomas Stone, Turbutt Wright, James Hollyday, George Plater, Jeremiah T. Chase and Baker Johnson. In May and the early part of June, the people, in county meetings, renounced the hope of reconciliation and instructed their delegates to move for independence.

At a very respectable meeting of the Associators of Anne Arundel County, held at West River, on Saturday, the 22d of June, the following important questions were submitted to their consideration:

"I. Whether, in the opinion of the associators present, the province of Maryland should or should not be bound by the determination of the majority of the United Colonies upon all questions to be agitated in Congress, such only excepted as are calculated to regulate or in any manner interfere in the internal government of the province. Resolved unanimously in the affirmative.

"II. Whether the instructions that were imposed upon the delegates of this province in Congress, by the December and continued by the May sessions of Convention, should or should not be immediately rescinded by the present Convention, and the delegates in Congress entrusted with discretionary powers of exercising their own judgments upon any question that may come under their consideration. Resolved unanimously in the affirmative, from a thorough conviction that the true interests and substantial happiness of the United Colonies in general, and this in particular, are inseparably interwoven and linked together, and essentially dependent upon a close union and continental confederation. The complexion of the times is such, that, in our opinion, unanimity alone can render our opposition to the establishment of a parliamentary tyranny glorious; by division, the most diabolical wishes of the King, Lords, and Commons, will be effectually realized."[1]

The freemen of Charles County, in their instructions to Josias Hawkins, Thomas Stone, Robert T. Hooe, Joseph H. Harrison and William Harrison, their delegates in convention, say:

"Reasons for the mode of voting and determining questions by a majority of counties, have not appeared to us to exist since the last general election; therefore we charge and instruct you to move for, and endeavor to obtain a regulation for voting individually, and determining questions by a majority of members, and not of counties, in future. And as we know we have a right to hear, or be informed, what is transacted in convention, we instruct you to move for, and endeavor to obtain, a resolve for the doors of the House to be kept open in future, and that on all questions proposed and seconded, the yeas and nays be taken, and, together with every other part of your proceedings, published, except such only as may relate to military operations; questions which ought to be debated with the doors shut, and the determinations thereon kept secret.

"The experience we have had of the cruelty and injustice of the British government, under which we have too long borne oppression and wrongs, and notwithstanding

[1] Maryland *Gazette*, June 27, 1776.

every peaceable endeavor of the united colonies to get redress of grievances, by decent, dutiful, and sincere petitions and representations to the King and Parliament, giving every assurance of our affection and loyalty, and praying for no more than peace, liberty and safety under the British government, yet have we received nothing but an increase of insult and injury, by all the colonies being declared in actual rebellion; savages hired to take up arms against us; slaves proclaimed free, enticed away, trained and armed against their lawful masters; our towns plundered, burnt, and destroyed; our vessels and property seized on the seas, made free plunder to the captors, and our seamen forced to take arms against ourselves; our friends and countrymen, when captivated, confined in dungeons, and, as if criminals, chained down to the earth; our estates confiscated, and our men, women and children robbed and murdered; and as at this time, instead of commissioners to negotiate a peace, as we have been led to believe were coming out, a formidable fleet of British ships, with a numerous army of foreign soldiers, in British pay, are daily expected on our coast to force us to yield the property we have honestly acquired and fairly own, and drudge out the remainder of our days in misery and wretchedness, leaving us nothing better to bequeath to posterity than poverty and slavery; we must for these reasons declare that our affection for the people and allegiance to the Crown of Great Britain, so readily and truly acknowledged till of late, is forfeited on their part. And as we are convinced that nothing virtuous, humane, generous or just, can be expected from the British King or nation, and that they will exert themselves to reduce us to a state of slavery by every effort and artifice in their power, we are of opinion that the time has fully arrived for the colonies to adopt the last measure for our common good and safety, and that the sooner they declare themselves separate from, and independent of the Crown and Parliament of Great Britain, the sooner they will be able to make effectual opposition, and establish their liberties on a firm and permanent basis. We, therefore, most earnestly instruct and charge you to move for, without loss of time, and endeavor to obtain positive instructions from the Convention of Maryland to their delegates in Congress, immediately to join the other colonies in declaring that the United Colonies no longer owe allegiance to, nor are they dependent upon the Crown or Parliament of Great Britain, or any other power on earth, but are, for time to come, free and independent States; provided that the power of framing government, and regulating the internal concerns of each colony be left to their respective Legislatures; and that the said delegates give the assent of this province to any further confederation of the Colonies for the support of their union, and for forming such foreign commercial connections as may be requisite and necessary for our common good and safety. And as the present government under the King cannot longer exist with safety to the freemen of this Province, we are of opinion a new form of government, agreeable to the late recommendation of the honorable Continental Congress to all the United Colonies, ought immediately to be adopted."

The freemen of Talbot County, in their instructions to Matthew Tilghman, James Lloyd Chamberlaine, Edward Lloyd, Nicholas Thomas and Pollard Edmonson, their delegates in the convention, viewed the instructions to the delegates in congress of the 18th of January and the 21st of May, as "tending in direct terms to a breach of that confidential harmony so happily before that subsisting among the United Colonies, and which we, in common with every colonist embarked in the cause of liberty, beheld as our greatest glory, and the only source of our protection. Its resolves in opposition to those in congress of the 15th of May, declaring it to be necessary that the exercise of any kind of authority under the crown of Great Britain should be totally

suppressed, and all the powers of government exerted under the authority of the people, we conceive to be a direct breach of the Continental Union, and to have a tendency to introduce anarchy and confusion, by setting up and continuing two separate and opposite authorities at the same time binding on the good people of this province." The delegates were directed to use their "utmost influence that the instructions given by convention to our delegates in congress before mentioned, be rescinded, and that they may be instructed by the present convention to concur and co-operate with the delegates of the other United Colonies, in forming such further compacts between the said colonies, concluding such treaties with foreign kingdoms, and in adopting such other measures as shall be judged necessary for promoting the liberty, safety and interest of America, and defeating the schemes and machinations of our enemies, the king and parliament, and ministry of Great Britain.

The freemen of Anne Arundel County instructed Charles Carroll, barrister, Samuel Chase, Thomas Johnson, William Paca and Charles Carroll, of Carrollton, their delegates in the convention, to "move for, and endeavor to obtain a resolution in convention that this colony be united with the other twelve colonies represented in congress, and that the deputies of this colony be authorized and directed to concur with the other United Colonies, or a majority of them, in congress, in declaring the United Colonies free and independent States, and in forming such further compact and confederation between them, in making foreign alliances, and in adopting such other measures as shall be adjudged necessary for securing the liberties of America, provided the sole and exclusive right of regulating the internal government and police of this province be reserved to the people thereof."

Frederick County, June 17th, unanimously resolved: "That what may be recommended by a majority of the congress, equally delegated by the people of the United Colonies, we will, at the hazard of our lives and fortunes, support and maintain, and that every resolution of the convention tending to separate this province from a majority of the colonies, without the consent of the people, is destructive to our internal safety, and big with public ruin."[1] The freemen of the upper district of Frederick County "resolved, unanimously," that they would "support the union of the colonies" with their "lives and fortunes."

In view of these instructions and the stirring appeals made through the press, the moderate members of the convention, led by Chase, Carroll, Johnson and Tilghman, whose influence was all powerful, gradually gave way to the popular will. Chase and Carroll particularly began to see realized the views and predictions they had made from the beginning of the contest. In the previous conventions, and in public addresses, they had strenuously, but in vain, opposed the instructions which the Convention of Maryland gave their representatives in congress "to disavow, in the most solemn manner, all

[1] "Read the papers," Samuel Chase wrote on the 21st to John Adams, "and be assured Frederick speaks the sense of many counties."—John Adams' *Works*, ix., p. 412.

design in the colonies of independence." Chase was mortified in seeing himself and his colleagues in congress tied down by those instructions, and he took his seat in the convention after appealing to his countrymen to make one more effort for their repeal. The question was immediately raised of withdrawing the instructions, and substituting for them instructions "to concur with the other United Colonies, or a majority of them, in declaring the United Colonies free and independent States." The crisis of the great question was pressing upon congress, whose members had already nearly arrived at the resolution to proclaim independence, and the loss of a day might deprive Maryland of a share in the glorious act then about to be performed. In these circumstances, Chase, Carroll, and their friends in the convention, brought all their energy, eloquence and arguments to bear in favor of immediate action. Success crowned their efforts. On the 28th of June, the instructions were repealed by the following resolution which was substituted by Charles Carroll, of Carrollton:

"*Resolved, unanimously*, That the instructions given by the Convention of December last (and renewed by the Convention in May) to the deputies of this colony in congress, be recalled, and the restrictions therein contained removed; that the deputies of this colony attending in congress, or a majority of them, or any three or more of them, be authorized and empowered to concur with the other United Colonies, or a majority of them, in declaring the United Colonies free and independent States, in forming such further compact and confederation between them, in making foreign alliances, and in adopting such other measures as shall be adjudged necessary for securing the liberties of America; and this colony will hold itself bound by the resolutions of a majority of the United Colonies in the premises: provided, the sole and exclusive right of regulating the internal government and police of this colony be reserved to the people thereof."

The result of the convention was hailed with the liveliest enthusiasm in all sections of the province and country. Congress assembled on the 1st day of July, in Independence Hall, Philadelphia, and after the preliminary business was disposed of, the new instructions were received by the Maryland delegates and read, to the general joy and satisfaction.[1]

While congress was considering the draft of a Declaration of Independence, or the form of announcing the fact to the world, the Maryland Convention, on the 3d of July, 1776, before they had heard from congress, adopted a declaration of their own—a noble document, in which the griev-

[1] John Adams, in a letter to Samuel Chase dated Philadelphia, July 1, 1776, says: "Your favor by the post this morning gave me much pleasure, but the generous and unanimous vote of your convention gave me much more. It was brought into congress this morning just as we were entering on the great debate; that debate took up most of the day, but it was an idle mispense of time, for nothing was said but what had been repeated and hackneyed in that room before a hundred times for six months past. In the committee of the whole, the question was carried in the affirmative, and reported to the House. A colony desired it to be postponed until to-morrow, when it will pass by a great majority, perhaps with almost unanimity; yet I cannot promise this, because one or two gentlemen may possibly be found who will vote point-blank against the known and declared sense of their constituents. Maryland, however, I have the pleasure to inform you, behaved well; Paca, generously and nobly."—*American Archives*, 4th series, vi., p. 1194.

ances of the colonies were ably and manfully set forth, and the unalterable resolution of the people of Maryland was announced, to maintain the common freedom of themselves and their brethren. This declaration reads as follows:

"A DECLARATION OF THE DELEGATES OF MARYLAND.

"To be exempted from the Parliamentary taxation, and to regulate their internal government and polity, the people of this colony have ever considered as their inherent and unalienable right: without the former, they can have no property; without the latter, no security for their lives or liberties.

"The parliament of Great Britain has of late claimed an uncontrollable right of binding these colonies in all cases whatsoever: to enforce an unconditional submission to this claim, the legislative and executive powers of that state have invariably pursued for these ten years past a steadier system of oppression, by passing many impolitic, severe and cruel acts for raising a revenue from the colonists; by depriving them in many cases of the trial by jury; by altering the chartered constitution of one colony, and the entire stoppage of the trade of its capital; by cutting off all intercourse between the colonies; by restraining them from fishing on their own coasts; by extending the limits of, and erecting an arbitrary government in the province of Quebec; by confiscating the property of the colonists taken on the seas, and compelling the crews of their vessels, under the pain of death, to act against their native country and dearest friends; by declaring all seizures, detention, or destruction of the persons or property of the colonists, to be legal and just.

"A war unjustly commenced hath been prosecuted against the united colonies with cruelty, outrageous violence, and perfidy; slaves, savages, and foreign mercenaries have been meanly hired to rob a people of their property, liberties and lives, a people guilty of no other crime than deeming the last of no estimation without the secure enjoyment of the former; their humble and dutiful petitions for peace, liberty and safety, have been rejected with scorn; secure of and relying on foreign aid, not on his national forces, the unrelenting monarch of Britain hath at length avowed, by his answer to the city of London, his determined and inexorable resolution of reducing these colonies to abject slavery.

"Compelled by dire necessity, either to surrender our properties, liberties and lives, into the hands of a British king and parliament, or to use such means as will most probably secure to us and our posterity those invaluable blessings,—

"WE, THE DELEGATES OF MARYLAND, in convention assembled, do declare, that the king of Great Britain has violated his compact with this people, and they owe no allegiance to him; we have therefore thought it just and necessary to empower our deputies in congress to join with a majority of the United Colonies in declaring them free and independent States, in framing such farther confederation between them, in making foreign alliances, and in adopting such other measures as shall be judged necessary for the preservation of their liberties: provided, the sole and exclusive rights of regulating the internal polity and government of this colony be reserved for the people thereof. We have also thought proper to call a new convention, for the purpose of establishing a government in this colony. No ambitious views, no desire of independence, induced the people of Maryland to form an union with the other colonies. To procure an exemption from parliamentary taxation, and to continue to the legislatures of these colonies the sole and exclusive right of regulating their internal polity, was our original and only motive. To maintain inviolate our liberties, and to transmit them unimpaired to posterity, was our duty and first wish; our next, to continue connected with, and dependent on, Great Britain. For the truth of these assertions, we appeal to that Almighty Being who is emphatically styled the Searcher of hearts, and from whose omniscience nothing is concealed. Relying on His divine protection and affiance, and trusting to the justice of

our cause, we exhort and conjure every virtuous citizen to join cordially in the defence of our common rights, and in maintenance of the freedom of this and her sister colonies."[1]

On the 2d day of July, after disposing of the business of the morning, congress resumed the consideration of the resolution of independence, and finally agreed to the following:

"*Resolved*, That these United Colonies are, and of right, ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connexion between them and the State of Great Britain, is, and ought to be, totally dissolved."[2]

Congress went immediately into committee of the whole, with Mr. Benjamin Harrison in the chair. During the remainder of that day, and during the sessions of the third and fourth, the phraseology, allegations and principles of the proposed declaration were subjected to close scrutiny. On the evening of the fourth, the committee rose, when Mr. Harrison reported the declaration as having been agreed upon. It was then adopted by twelve States—Messrs. William Paca, John Rogers and Thomas Stone, casting the vote of Maryland.

Congress ordered that the declaration be sent to the several Assemblies, Conventions and Committees or Councils of Safety, and to the several commanding officers of the continental troops, and proclaimed in each of the United States, and at the head of the army. It went forth authenticated by John Hancock, president, and Charles Thomson, secretary. John Hancock, in transmitting a copy to the Maryland Convention, said:

"*Philadelphia, July 8th, 1776.*

"*Gentlemen*:—Although it is not possible to foresee the consequences of human actions, yet it is, nevertheless a duty we owe ourselves and posterity, in all our public counsels, to decide in the best manner we are able, and to trust the event to that Being, who controls both causes and events so as to bring about his own determination. Impressed with this sentiment, and at the same time fully convinced that our affairs may take a more favorable turn, the congress have judged it necessary to dissolve all connexion between Great Britain and the American Colonies, and to declare them free and independent States, as you will perceive by the enclosed declaration, which I am directed by congress to transmit to you, and to request you will have it proclaimed in your colony in the way you shall think most proper.

"The important consequences to the American States from this Declaration of Independence, considered as the ground and foundation of a future government, will naturally suggest the propriety of proclaiming it in such a manner as that the people may be universally informed of it.

"I have the honor to be, gentlemen,

"Your most ob't humble servant,

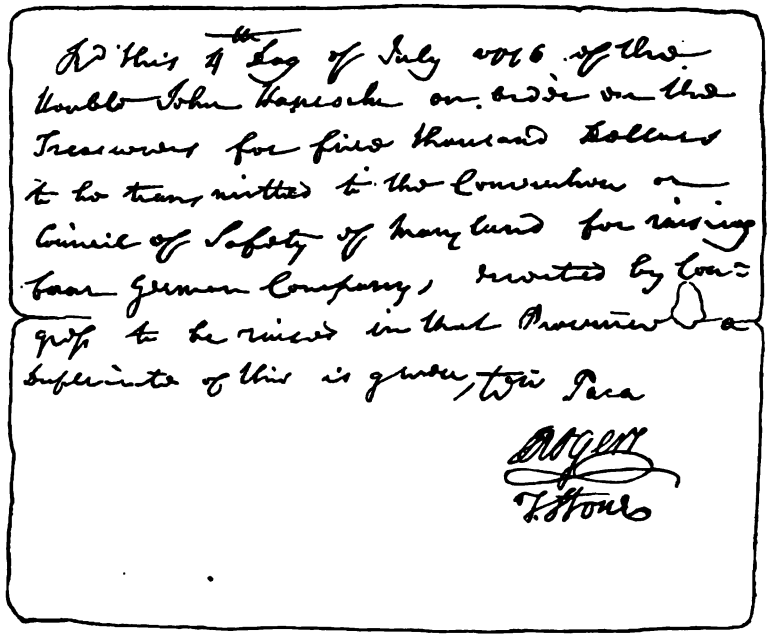
"JOHN HANCOCK, *President*."

[1] The manuscript of this Declaration, preserved in the Land Office, shows that it was drawn up on the 3d of July, 1776, but upon reference to the journal of the convention, printed in 1836, it is entered on the 6th of July, preceded by the following resolve: "*Resolved*, that the following declaration be entered on the journal of this convention."

[2] *Journals of Congress.*

The convention having adjourned, the Council of Safety sent copies to the Committee of Observation in all the counties, with the request that it should be proclaimed in the manner they might "judge most proper for the information of the people." It was printed in the Maryland *Gazette* of July 11th, and on the 2d of July it was proclaimed at the court house in Baltimore, in the presence of the independent companies and militia, amid the loudest applause, accompanied with salvos of artillery and "universal acclamations for the prosperity of the free United States." At night, the town was illuminated, and an effigy of the King of Great Britain paraded through the streets and burned in derision of his forfeited authority. It was received in a similar manner in other sections of the State.

In the records of the Land Office, we find in the handwriting of William Paca, the following receipt, which shows who were the *three required* representatives of Maryland present in congress between the 1st and 4th of July, 1776, when the Declaration of Independence was adopted:



Although the Declaration of Independence was finally adopted on the 4th of July, 1776, yet it was not engrossed or signed until sometime after. The public impression, derived from the published journals of congress, was for a long time prevalent, that the declaration was both adopted and signed on the same day. But it is now well settled, that such was not, in fact, the case. The idea of signing does not appear to have at first occurred to the members. It was not until the 19th of July that a resolution was adopted that the "declaration passed on the 4th be fairly engrossed on parchment, with the

title and style of 'The unanimous Declaration of the Thirteen United States of America,' and that the same when engrossed be signed by every member of congress." On the 2d day of August, the journals say: "The Declaration being engrossed, and compared at the table, was signed by the members." The credentials of Matthew Tilghman, Thomas Johnson, Jr., William Paca, Samuel Chase, Thomas Stone, Charles Carroll, of Carrollton, and Robert Alexander, the new members, who had been appointed by the Maryland Convention on the 4th of July, having been received by congress on the 18th, a number on that day appeared and took their seats. And, on the 2d of August, when the engrossed copy was laid on the desk of the secretary, to be signed by the members then present, Messrs. Samuel Chase, William Paca, Thomas Stone and Charles Carroll, of Carrollton, attached their names.[1]

NOTE ON THOMAS STONE.

Thomas Stone, the son of Daniel Stone, a descendant of Governor William Stone, was born in Charles County, in the year 1743. He received a fair education at the private schools of the county, when he removed to Annapolis, where he prosecuted the study of law under the auspices of Thomas Johnson. He commenced the practice of the law in Frederick Town, and after two years he removed to his native county, where he resumed the practice of his profession with good prospects of success, and with the reputation of talents and industry. In 1768, previous to his removal to Charles County, he married Margaret Brown, the youngest daughter of Gustavus Brown, of Frederick County. In 1774, although a very young man, he was appointed by the provincial convention a member of congress, and was re-elected the following year. While a member of the Maryland Convention, on the 28th of April, 1775, he wrote the following letter to his wife:

"We have this day received a confirmation of the unhappy contest between the king's troops and the people of New England; and I am afraid it is too true. This will reduce both England and America to a state to which no friend of either ever wished to see; how it will terminate, God only knows. My heart is with you, and I wish it was in my power to see you, but many gentlemen insist that I should stay to assist in deliberation on those important affairs. I wish to do my duty, and shall be obliged to stay here longer than I expected, but I hope to see you on Sunday, if nothing new occurs.

"We have accounts that numbers of people are killed on both sides; which I am apprehensive will preclude all hopes of a reconciliation between this and the mother-country: a situation of affairs which all thinking men must shudder at. . . . People here seem to feel very severely on the present occasion. I have determined to act according to the best of my judgment, rightly; but, in the important and dangerous crisis to which we are reduced, the best may err. Pray God preserve you and bless our little ones. We are like to see times which will require all our fortitude to bear up against. We must do our best, and leave the rest to Him who rules the affairs of men."

[1] It is stated that, as the signing was progressing, John Hancock, the President of Congress, asked Mr. Carroll, who had not the happiness of voting for the Declaration, if he would sign it? "Most willingly," he replied; and taking a pen, he signed his name, as was his habit, *Charles Carroll*. A bystander remarked aloud, as Mr. Carroll was signing his name, "There go several millions," alluding to the great wealth endangered by his adherence to the cause of independence. "Nay," said another; "there are several Charles Carrolls—he cannot be identified." Mr. Carroll, hearing the conversation, immediately added to his signature the words *of Carrollton*, the name of the estate on which he resided, remarking as he did so, "They cannot mistake me now."

He was a member of the Maryland Senate in 1777, and his services in that body are thus described by a member who sat with him:

"He was truly a perfect man of business; he would often take the pen, and commit to paper all the necessary writings of the senate, and this he would do cheerfully, while the other members were amusing themselves with desultory conversation. He appeared to be naturally of an irritable temper, still he was mild and courteous in his general deportment, fond of society and conversation, and universally a favorite from his great good humor and intelligence. He thought and wrote much as a professional man and as a statesman, on the business before him as those characters—he had no leisure for other subjects—not that he was unequal to the task, for there were few men who could commit their thoughts to paper with more facility or greater strength of argument. There was a severe trial of skill between the senate and the house of delegates, on the subject of confiscating British property. The senate for several sessions unanimously rejected bills passed by the house of delegates for that purpose; many, very long and tart were the messages from one to the other body on this subject; the whole of which were, on the part of the senate, the work of Mr. Stone, and his close friend and equal in all respects, the venerable Charles Carroll, of Carrollton."

In the year 1784, after he had finally relinquished his seat in congress, he removed to Annapolis, where his practice became very lucrative and his professional reputation rose to very distinguished eminence. As a speaker, his strength lay in argument, rather than in manner. When he began, his voice was weak, and his delivery unimpressive, but as he became warmed with his subject, his manner improved, and his reasoning was clear and powerful.

He was a man of very strong feelings and affectionate disposition; and the tenderness of his attachment to his amiable wife, after forming the happiness of a large portion of his life, became the melancholy cause of its early close. In the year 1776, while he was attending to his public duties in congress, Mrs. Stone visited Philadelphia with him, and as the small-pox was then prevalent in that city, it was thought necessary to protect her from it by inoculation. She was accordingly inoculated, by the mercurial treatment, and from this time her health gradually declined. She was afflicted with rheumatism for eleven years, and her skin, which had before been marked with the glow of health, assumed a paleness which can scarcely be imagined. It was beyond the power of human aid to give vigor to her shattered condition, and on the 1st of June, 1787, she died in Annapolis, in her thirty-fourth year. This was a death-blow to Mr. Stone. He declined all further business, both public and private, and retired to his seat near Port Tobacco, in Charles County, and sunk into a deep melancholy. Dr. Brown and Dr. Craik, his physicians, finding little amendment in his spirits after the lapse of some months, advised him to make a sea voyage. In obedience to their advice, he went to Alexandria to embark for England. While waiting at that place for the vessel to sail, he expired suddenly, in his forty-fifth year, on the 5th of October, 1787.

A few days before his death, he wrote the following letter of advice to his only son, then a boy of twelve years of age, which is the dying counsels of a virtuous parent, actually in the near prospect of death:

"*My Dear Frederick:* I am now in a weak state, about to travel, and probably shall not see you more. Let me intreat you to attend to the following advice, which I leave you as a legacy; keep and read it, and resort to it.

"In the first place, do your duty to God in spirit and in truth, always considering him as your best protector, and doing all things to please him; nothing to offend him; and be assured he is always present and knows all your thoughts and actions, and that you will prosper and be happy if you please him, and miserable and unhappy if you displease him. Say your prayers every day, and attend divine worship at church regularly and devoutly,

with a pious design of doing your duty and receiving instruction. Think more of your soul's health and the next world than of this, and never do wrong on any account. Be honest, religious, charitable and kind, guarded in your conduct, and upright in your intentions.

"Shun all giddy, loose and wicked company; they will corrupt and lead you into vice, and bring you to ruin. Seek the company of sober, virtuous and good people, who will always shew you examples of rectitude of conduct and propriety of behaviour—which will lead to solid happiness.

"Be always attentive to the advice of your uncles, Dr. Brown and Michael J. Stone, and do nothing of consequence without consulting them. Be respectful to your seniors, and all your friends, and kind to everybody. Seek to do all the good you can, remembering that there is no happiness equal to that which good actions afford. Be attentive and kind, and loving to your sisters, and when you grow up protect and assist them on all occasions.

"Take care not to be seduced by the professions of any person to do what your heart tells you is wrong, for on self-approbation all happiness depends.

"Attend to your educational learning, and never let your mind be idle, which is the root of all evil, but be constantly employed in virtuous pursuits or reflections.

"Let your aim in life be to attain the goodness rather than greatness among men: the former is solid, the latter all vanity, and often leads to ruin in this and the next world. This I speak from experience.

"I commend you to Heaven's protection. May God of his infinite mercy protect you and lead you to happiness in this world and the next, is the most fervent prayer of your loving father."

Thomas Stone was six feet and half an inch in height. He was a taciturn man, of strong feelings, and more remarkable for terseness of style than eloquence of diction. He left three children, amply provided for—Margaret, Mildred and Frederick.—Sanderson's *Biographies of the Signers*, ix., pp. 154–329.

CHAPTER XXII.

THE decisive step having been taken, Maryland at once proceeded to secure the independence she had declared, by strengthening her military force and placing it at the disposal of congress. The convention determined to raise 3,405 men—the proportion authorized by congress—to form a flying camp to act with the militia of Pennsylvania and Delaware in service in the middle department, (from New York to Maryland, both included,) until the 1st of December following. This force was to be divided into four battalions of nine companies each, of which nine were to be furnished by Frederick County, five by Anne Arundel, four by Baltimore, three by Prince George's, two each from Charles, Harford, Cecil, Kent, Queen Anne's and Caroline, and one each from St. Mary's, Calvert and Talbot; the whole to be commanded by Brigadier-General Thomas Johnson, Jr.[1]

Ten thousand pounds was also appropriated for the erection of fortifications on Greenbury's, Horn and Windmill Point, and other places adjacent to the City of Annapolis. A sum of money was advanced to Dr. Alexander Warfield for the purpose of carrying on a nitre manufactory. And to repress toryism, it was enacted that if any inhabitant of the province should, after the 5th of August following, levy war against the United Colonies or any of them, or should adhere "to any person or persons bearing arms or employed in the

[1] On the 4th of July, the convention "being of the opinion that it is of very great importance to the welfare of this province, that it should not be deprived of the advice and assistance of the said Thomas Johnson in the public councils of the united colonies, and that his place can be supplied with less inconvenience in the military than in the civil department, therefore, *Resolved*, that a brigadier-general be elected by ballot in the room of the said Thomas Johnson, Esq.;" and John Dent was elected to fill the vacancy. He resigned shortly afterwards and Gen. Beall was chosen. Otho H. Williams was elected colonel of the Frederick County battalion, but declined, as will be seen by the following letter:

"FREDERICK TOWN, July 23, 1776.

"GENTLEMEN—Col. Stull informs me that at your last convention at Annapolis, you did me the very great honor of appointing me colonel of the Frederick County battalion to serve the United States of America in the flying camp until the first day of December next. Ever since the commencement of the unnatural war waged by a wicked ministry against this country, I have considered it as my indispensible duty to exert my feeble abilities in its defence, and entering early into the service, have had the good fortune to be so far recommended to the Honorable, the Continental Congress, as to obtain a commission as major of a battalion of riflemen to serve the United States three years; and being diffident of my abilities to discharge the duties of a more exalted station at present, beg leave to decline the very honorable appointment by which you, gentlemen, have confered an obligation on me ever to be most gratefully remembered and acknowledged. I beg leave, in a particular manner, to profess my gratitude to those worthy gentlemen, by whose recommendations I obtained so respectable an appointment, their favorable opinion, I trust, will always be maintained by a propriety of conduct in gentlemen. Your most obliged and obedient humble servant, O. H. WILLIAMS."

service of Great Britain against the United Colonies, or any of them; or shall afford such persons, or any of them, any aid or comfort, or shall give them, or any of them, or any subject of Great Britain, any intelligence of the warlike preparations or designs of the United Colonies, or any of them; such person, on conviction thereof by a petit jury, after a presentment by a grand jury, in a court to be erected in this colony by the next convention, for the trial of such offenders, shall suffer death without benefit of clergy, and forfeit all estate which he had at the time of the commission of the crime, to be applied to the use of this colony, unless such convicted person shall be pardoned by the person or persons invested with the power of granting pardons for such offences."

"*Resolved*, That the several offences aforesaid shall receive the same constructions that have been given by the judges in England to such of the said offences as are enumerated in the statute of Edward the III., commonly called the statute of treason." [1]

Any person, after the 5th of August, who should forge, counterfeit or alter, or offer for sale, any forged, counterfeited or altered notes or bills of credit issued by congress, the assembly or convention, of this or any of the States, upon conviction, was to suffer death without benefit of clergy.

The shadow of the proprietary government having vanished by the departure of Governor Eden, the convention, in pursuance of instructions from the several counties, on the 3d of July, resolved upon the establishment of a permanent form of government. For this purpose a new convention was to be elected, consisting of four representatives from each district of Frederick County, four from each of the other counties, and two each from Annapolis and Baltimore Town. The elections were to be "*viva voce*, in the manner heretofore used in this colony." The qualified electors were freemen over twenty-one years, holding not less than fifty acres of land in freehold, or having visible property not less than £50. For Annapolis the elector was to own a whole lot in the city, have an estate of £20, or have served five years to any trade in the city, being also a housekeeper.

"And to prevent any violence or force being used at the said elections, no person shall come armed to any of them, and no muster of the militia shall be made on the day on which any of the said elections shall be held, nor shall any battalion or company of the militia, or any ten men thereof give in their votes immediately succeding each other, if any other voter who offers to vote objects thereto; nor shall any soldiers in the pay of this province be suffered to collect at the time and place of holding any of the said elections."

Persons in the military service of the colony or the United States, were excluded from voting or being delegates, as also those who had been pub-

[1] This resolution was, no doubt, suggested by the disaffection which occurred in the lower part of Somerset County, in June. Major Price was directed to march the independent companies on the Eastern Shore to this district, and disarm all disaffected persons. Hon. George Plater and John Hall were also appointed a committee to repair to the same place, and take such measures as should unite the county with the others of the province. They were also directed to arrest any person who was disaffected, and send them before the Council of Safety.

lished as enemies, or who had not been restored to public favor. The place, time and manner of election were designated, and the 12th of August assigned for the meeting of the new deputies. The convention was declared to be dissolved on the ensuing 1st of August; but the Council of Safety was still continued in existence, as the government of the province, to await the regulations of the intended assembly.

General Howe and his army evacuated Boston on the 17th of March, and retired to Halifax. Expecting this movement, General Washington, on the 15th, sent the two Maryland companies of riflemen to New York, where they arrived on the 28th. The whole army, excepting five regiments detained for the defence of Boston under General Ward, followed soon after. On the 11th of June, the fleet which had borne General Howe's troops from Boston, sailed from Halifax, and on the 29th entered the lower harbor of New York. On the 9th of July, they landed on the shore of Staten Island, where in a few days they were joined by the fleet of Sir Henry Clinton and Sir Peter Parker, who had been repulsed from the siege of Charleston, by the guns of Fort Moultrie. From this time, every day witnessed the arrival of reinforcements to the British forces.

At the urgent solicitation of Washington, congress resolved to strengthen the army at New York with thirteen thousand eight hundred militia, drawn from Massachusetts, Connecticut, New York and New Jersey, and a flying camp of ten thousand more from Pennsylvania, Maryland and Delaware. As we have shown, the Maryland Convention before it adjourned, made provision to raise its quota, and on the last day of the session, the 6th of July, in obedience to the requisitions of congress, they ordered Colonel Smallwood to march with his regiment to Philadelphia and place himself under the orders of congress; and the independent companies stationed in Talbot, Queen Anne's and St. Mary's Counties, were ordered to join him and place themselves under his command. By another resolve, in obedience to a requisition of congress, passed on the 27th of June, they directed two companies of riflemen to be raised, one in Harford County, and the other in Frederick; and four companies of Germans, two in Baltimore County, and two in Frederick.

In pursuance of the orders of the convention, Colonel Smallwood, on the 10th of June, embarked at Annapolis six companies of his regiment for the head of Elk River; and on the same day Major Gist, of the same regiment, embarked three companies at Baltimore for the same place, (now Elkton, Cecil County), whence they marched to Philadelphia. Major Adlam in a letter to George W. Parke Custis, referring to the arrival of these young men, the sons of some the most patriotic and best families in Maryland, says:

"Smallwood's regiment arrived in Philadelphia about the middle of July, 1776, the day after the militia of York got there. I happened to be in Market street when the regiment was marching down it. They turned up Front street till they reached the Quaker meeting house, called the Bank meeting, where they halted for some time, which

I presumed was owing to a delicacy on the part of the officers, seeing they were about to be quartered in a place of worship. After a time they moved forward to the door, where the officers halted and their platoons came up and stood with their hats off, while the soldiers with recovered arms marched into the meeting-house. The officers then retired and sought quarters elsewhere."

Immediately upon his arrival, Colonel Smallwood reported to congress for orders, and on the 17th, President Hancock directed him to march his regiment as soon as possible to New York and report to General Washington. At the same time President Hancock addressed a letter to General Washington,

MAJOR-GENERAL SMALLWOOD.

in which he informed him of the arrival of "upwards of one thousand troops from Maryland," who were now "on their way to join the flying camp at [Elizabeth Town], New Jersey." He represented that they were "an exceeding fine body of men, and will begin their march this day." On reaching Elizabeth Town, Colonel Smallwood's regulars were attached to the brigade of Brigadier-General Lord Stirling.

In the meantime the troops of Generals Clinton and Cornwallis, and on the 12th of August, the Hessians under General De Heister, arrived at New

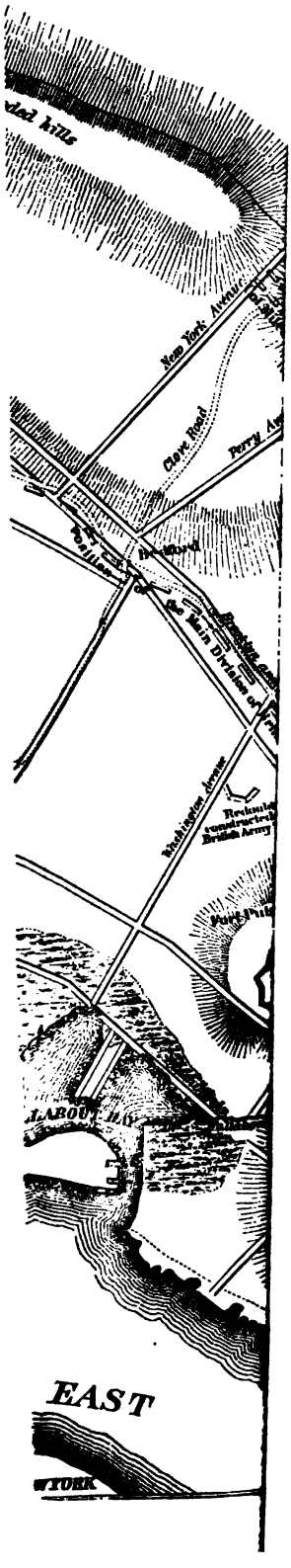
formed his line of battle. Its right rested on Gowanus Bay, occupying a winding road that crossed a great sand hill called Bluckie's Barracks, at the foot of Twenty-Third street; its left along the slope to the summit of the hills near the present western boundary of Greenwood Cemetery. The centre composed of the Maryland and Delaware battalions, commanded by Lord Stirling in person, occupied the high ground known as Battle Hill, in Greenwood Cemetery. Near the western boundary of the present cemetery were also placed two field pieces under Captain Carpenter. From the top of the hills the line bent northward along the high ground, to near the junction of Fifth avenue and Third street. This part of the line was occupied by reserves, a portion of the Delaware battalion, and such troops as Putnam could spare from the intrenchments.

While Stirling was forming his line of battle, the enemy advanced upon Atlee, and forced him, after a short contest, to retreat a short distance to Bluckie's Barracks, then covered with forest trees. At this moment Kichline's Pennsylvania riflemen arrived, and taking a position behind a hedge at the foot of the Greenwood hills, opened a galling fire with Carpenter's guns, driving the British back from their advanced position, and enabling Atlee's skirmishers to re-occupy the orchard from which they had been driven the day before.

General Grant's brigade were formed in two lines about six hundred yards in front of Stirling's right; and the remainder of his force extended in a single line through the Greenwood Cemetery hills. All along the line there was sharp skirmishing at intervals for six hours, while the distant roar of musketry and field-guns to the left told that General Sullivan's troops were similarly engaged.

Thus stood affairs until about eleven o'clock, when Howe reinforced Grant with two thousand men from the fleet; whereupon Stirling ordered forward his Delaware reserves, under Colonel Haslett. At the same time detachments from DeHeister's column, which had been pushed forward through the wood from the hills near the Porte road, encountered the left of the Delaware battalion near Tenth street and Fourth avenue. It now became apparent to Stirling that the enemy had turned the American flank, and was pressing upon their rear, as was shown by his left wing recoiling back upon his centre: and all doubt was soon removed when he received intelligence that the rest of the American army had melted away before the fierceness of the British assault, and that in the space of ground included between Washington avenue and Third street, the low ground in the neighborhood of Greene and Fourth avenues, and the heights overlooking Flatbush, lay the bodies of nearly one thousand men, slain in the shock of battle, or by subsequent murder.[1]

[1] "The Hessians and our brave Highlanders gave no quarter, and it was a fine sight to see with what alacrity they despatched the rebels with their bayonets, after we had surrounded them so that they could not resist. We took care to tell the Hessians that the rebels had resolved to give no quarter to them in particular: which made them fight desperately, and put all to death who fell into their hands."—Extract from a letter from an officer in Fraser's British battalion. *American Archives*, 5th series, i., p. 1259.



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York as reinforcements for General Howe. The British army, which now amounted to twenty-seven thousand men, landed from their transports and were received "with the wildest demonstrations of joy by the inhabitants, and the deputations of loyalists from Long Island;" but they were not permitted to remain unmolested, for Lord Stirling's riflemen, on the New Jersey shore, soon disturbed their repose.

To meet the force of the enemy, General Washington had at his disposal on the 8th of August, 17,225 men, of whom 3,668 were sick and unfit for duty. These undisciplined troops were extended over a line of defence reaching from King's Bridge, on Manhattan Island, to Bedford, on Long Island, or more than seventeen miles in length. To strengthen the hands of the commander-in-chief, the Maryland Council of Safety sent forward during the next fortnight the entire State quota of troops. In announcing this fact on the 16th of August to their delegates in congress, they indicated the greatest zeal and interest in defending New York from the common enemy. In their letter they remark:

"In consequence of a resolve of the convention, we have given orders to all the independent companies (four in number) to march. Col. Carvel Hall's and Col. Ewing's, and six or seven companies on the eastern shore, have like orders to march; so that, with Griffith's battalion, we shall have near four thousand men with you in a short time. This exceeds our proportion for the Flying Camp, but we are sending all that we have that can be armed and equipped;[1] *and the people of New York, for whom we have great affection, can have no more than our all.* Enclosed you have a list of the several battalions and companies. * * *

"P. S.—These companies are not all fully armed and equipped, but we hope soon to collect enough.

LIST OF THE TROOPS FROM MARYLAND.

Smallwood's battalion, nine companies, 76 each	684
Captains Veazey, Hindman, Thomas, Beall, Gunby, Woolford and Watkins' companies, 100 men each	700
Griffith's battalion, nine companies, 90 men each	810
Colonel Carvel Hall's battalion, nine companies, 90 men each	810
Three companies of Colonel Ewing's battalion	270
Seven companies of Eastern Shore battalion	644
	3,918

"The remaining companies of Ewing's and the Eastern Shore battalions, must borrow arms from the militia to do duty here; they can get arms on no other terms."[2]

[1] There was the greatest scarcity of arms in the State at this time, notwithstanding the arrival of several cargoes and the energy with which the manufacture was pressed. The committee of observation of Dorchester county, in a letter to the Council of Safety, dated July 23, 1776, say: "We are satisfied, at this time, there are not more than a fourth part of the militia in our county who have arms that can be depended on, and these only fowling pieces and squirrel guns not fixed with bayonets. There are others that are defective, some of which may be prepared, which we are endeavoring to have done; but a great part of them can never be made fit for service. As to public arms, we have none, that we know of, in our county." As a substitute for arms, the convention, on the 10th of September, "*Resolved*, That the Council of Safety be empowered to contract for one thousand pikes, not less than twelve feet long."

[2] *American Archives*, 5th series, i., p. 977.

The four independent companies, remaining in Maryland, were ordered by the convention, on the 15th of August, to march to Elizabeth town, New Jersey, and place themselves under the command of Colonel Smallwood.

On the 22d of August, the enemy embarked from Staten Island, moved towards Long Island, and finally landed at Denyse's Point (then a ferry-landing, the boat plying across the Narrows from Staten Island), where Fort Hamilton now stands. The enemy immediately took up their line of march for Gravesend, where a part halted, while the main body pushed on to Flatlands and Flatbush, Colonel Hand with his Pennsylvania riflemen retiring before them.

Washington, who had been watching the movements of the enemy, now hurried reinforcements over from New York. Among these was the brigade of Lord Stirling, composed of Smallwood's Maryland regiment, Haslett's Delaware, Atlee's Pennsylvania, and Lutz's and Kiechlein's Pennsylvania battalions. Early on the 27th of August, General Putnam notified Lord Stirling that the enemy were approaching the Gowanus road along Martense lane,[1] and ordered him to take three regiments, "advance beyond the line and repulse the enemy." Hastily gathering Smallwood's Maryland, and Atlee's Pennsylvania regiments, and Haslett's Delaware battalion, Lord Stirling advanced to the junction of the Martense lane with the Gowanus or Shore road, where Colonel Atlee's pickets had had a skirmish with the enemy the evening before. The Maryland regiment at this time did not number more than about four hundred and fifty men, and was commanded by Major Mordecai Gist; as Colonel Smallwood and Lieutenant Colonel Ware, with Colonel Haslett, and Lieutenant Colonel Bedford, of the Delaware battalion, were attending the court-martial of Lieutenant Colonel Zedwitz in New York.

LORD STIRLING.

The force which Stirling was about to engage was the left wing of Lord Howe's army, and consisted of two brigades, one Highland regiment with several pieces of artillery, and two companies of New York tories, the whole commanded by General Grant, an officer who had served with distinguished gallantry in the French and Indian War. The plan of the enemy was to engage the right of the American army at this point, while Lord Howe with the remainder of his force, composed of De Heister's Hessians, and the divisions of Cornwallis, Clinton and Lord Percy, should flank the American line by the way of Jamaica and Flatland roads, near the present Evergreen cemetery. When within a half a mile of the junction of the Martense lane and the Gowanus road, or the Red Lion Tavern, Stirling hastily formed his forces, and sent forward Atlee's command as a skirmish-line. Seeing the enemy approaching by the Gowanus road, by which he was himself advancing, and driving Atlee's pickets before them, Stirling at once

[1] Now forming the southern boundary of Greenwood cemetery, Brooklyn. It led from the Old Flatbush and New Utrecht to the Gowanus road; at its junction with the latter stood the Red Lion inn.

martyrdom. The advanced bodies of the enemy were driven back upon the Cortelyou house—now become a formidable redoubt—from the windows of which the leaden hail thinned the patriot ranks as they approached. Lord Cornwallis hurriedly brought two guns into position near one corner of the house, and added their canister and grape to the tempest of death.

"At last the little column halted, powerless to advance in the face of this murderous fire, yet disdaining to retreat with the disgrace of a flight. Again and again these self-devoted heroes closed their ranks over the bodies of their dead comrades, and still turned their faces to the foe. But the limit of human endurance had for the time been reached, and the shattered column was driven back. Their task was not, however, yet fully performed.

"As Stirling looked across the salt meadows, away to the scene of his late struggle at Bluckie's Barracks, and saw the confused masses of his countrymen crowding the narrow causeway over Freeke's mill-pond, or struggling through the muddy tide-stream, he felt how precious to their country's liberty were the lives of his retreating soldiers, and he again nerved himself for a combat which he knew could only prove a sacrifice. Once more he called upon the survivors of the previous dreadful assault, and again the noble young men gathered around their general. How sadly he must have looked upon them—scarcely more than boys—so young, so brave, and to meet again the pitiless iron hail!

"The impetus and spirit of this charge carried the battalion over every obstacle quite to the house. The gunners were driven from their battery, and Cornwallis seemed about to abandon the position; but the galling fire from the interior of the house, and from the adjacent high ground, with the overwhelming numbers of the enemy who were now approaching, again compelled a retreat.

"Three times more the survivors rallied, flinging themselves upon the constantly re-enforced ranks of the enemy; but the combat, so long and so unequally sustained, was now hastening to its close. A few minutes more of this destroying fire and two hundred and fifty-six of the noble youth of Maryland were either prisoners in the hands of the enemy or lay side by side in that awful mass of dead and dying. The sacrifice had been accomplished, and the flying army had been saved from complete destruction. Amid the carnage Stirling was left almost alone, and scorning to yield himself to a British subject, he sought the Hessian General De Heister, and only to him would he surrender his sword.

"On the conical hill within the American lines stood the commander-in-chief, General Washington, and as he witnessed the assault, the repulse, and the massacre, he exclaimed in agony of heart, 'Great God! what must my brave boys suffer to-day!' From the eminence on which he stood, the termination of the last struggle of the brave Marylanders was plainly and painfully visible to him."[1]

A few survivors of the Maryland battalion escaped by struggling through the salt marsh, every foot of whose surface was now swept by the enemy's artillery and rifle shot. A number of fugitives from both Sullivan's and Stirling's divisions might have escaped by the bridge which crossed the flume and waste-weir of Freeke's Mill; but this retreat was cut off by the cruel selfishness of Colonel Ward, who commanded an eastern regiment. It seems that early in the retreat he safely passed his whole command over the dam, and, in order to secure his rear from attack, set fire to the Yellow Mills, the dwelling house and the bridge which crossed the dam, and left hundreds of his countrymen, pursued by a victorious enemy, to perish.

[1] Thomas W. Field's *Battle of Long Island*. Long Island Historical Society, p. 199.

Mr. Field says: "The sacrifice of their lives, so freely made by the generous and noble sons of Maryland, had not been made in vain. An hour, more precious to American liberty than any other in its history, had been gained; and the retreat of many hundreds of their countrymen had been secured across the dreadful creek and marsh, whose treacherous tide and slime now covered so many of their brave comrades. The carnage of battle could scarcely have been more destructive than the retreat; for, at this time, no vestige of an army-formation existed, and nothing remained but a mob of flying and despairing men, among whose masses officers and privates were borne undistinguished along."[1]

An officer of the Maryland battalion, in a letter dated August 28th, says: "Our battalion has suffered much; a great number of both officers and men are killed and missing. We retreated through a very heavy fire, and escaped by swimming over a river, or creek rather. My height was of use to me, as I touched almost all the way. A number of men got drowned."[2] Another letter, dated August 31st, says: "Smallwood's battalion of Marylanders were distinguished in the field by the most intrepid courage, the most regular use of the musket, and judicious movements of the body. . . When our party was overcome and broken by superior numbers surrounding them on all sides, three companies of Marylanders broke the enemy's lines, and fought their way through; the others attempted to cross a small creek, which proved fatal to several of them. I have not heard of their loss, but presume it is very heavy, they being in a situation very much exposed, facing the enemy's cannon, in the open field, for a considerable time. Captain Veazey and Lieutenant Butler are among the honorable slain."[3] In another letter, written September 1st, 1776, the writer says: "The Maryland battalion lost two hundred and fifty-nine men, amongst whom twelve were officers. Captains Veazey and Bowie; Lieutenants Butler, Sterrit, Dent, Coursey, Morse, Prawl; Ensigns Corts and Fernandas. Who are killed and who prisoners, is yet uncertain." Another letter, dated August 30th, 1776, says: "The principal loss sustained in our battalion, fell on Captains Veazey, Adams, Lucas, Ford and Bowie's companies. The killed, wounded and missing amount to two hundred and fifty-nine." All the letters of the period extol the courage and devotion of the Maryland battalion, and rate the loss at nearly the same number. Stedman, the British historian, says: "The Maryland regiment suffered most severely, having lost upwards of two hundred and sixty men; which was much regretted, as that regiment was composed of young men of the best families in the country."[4] Lord Stirling says, in his letter of August 29th, to Washington: "In order to render the escape of the main body across the creek more practicable, I found it absolutely necessary to attack a body of troops commanded by Lord Cornwallis, posted at the

[1] See General Smallwood's letter, *Chronicles of Baltimore*, p. 148.

[2] *American Archives*, 5th series, i., p. 1195.

[3] *Ibid*, p. 1243.

[4] *American War*, i., p. 196.

house near the Upper Mills, which I instantly did, with about half of Smallwood's regiment, first ordering all the other troops to make the best of their way across the creek." Tench Tilghman, in a letter to his father, dated September 3, 1776, says: "No regular troops ever made a more gallant resistance than Smallwood's regiment. If the others had behaved as well, if General Howe had obtained a victory at all, it would have been dearly bought. . . . . The behavior of the Southern troops in the late action has shamed the Northern people; they confess themselves unequal to them in officers and discipline."

Washington, who from a hill within his lines had witnessed the rout of Stirling's division and the slaughter of the Maryland battalion, now strove to cover the retreat and strengthen his lines. Smallwood, who had hurried over from New York, applied for some regiments to save the remnant of his battalion. After some consideration, as to the prudence of risking more troops upon a lost battle, at the same time feeling unwilling to abandon these brave men to their fate, Washington placed him in command of a Connecticut regiment and together with Captain John Allen Thomas' Maryland company, which had just came over from New York, and two pieces of artillery, he marched to the west bank of Gowanus Creek in time to send a few volleys into the enemy's columns, and to aid the last survivors of Stirling's corps in struggling across its slime.[1]

The remnant of Smallwood's battalion, and the Pennsylvania battalions of Colonels Shee and Magaw, and Glover's Marblehead (Massachusetts) regiment, soon after daylight on the morning of the 28th of August, were hurried in a heavy rain to the extreme left of the entrenched lines, on the ground between Wallabout Bay and Fort Putnam. On this low marshy land, saturated with the heavy rains of the day and the previous night, these distressed and fatigued troops remained unprotected. Nothing occurred during the day and night except occasional and sometimes severe skirmishing between the outposts. The rain was succeeded on the 29th by a fog so dense that objects could not be discerned at a few yards distance. The position of the American army, at Brooklyn, had now become perilous, and in the disorganized condition of his troops Washington resolved to recross the East River and withdraw into the American lines below Fort Washington.

The embarkation took place under the superintendance of General McDougall, with Glover's Marblehead fishermen. To General Mifflin, commanding the Pennsylvania battalions of Shee and Magaw, and the shattered

[1] Mr. Field says, "the conduct of the Connecticut regiment was not such as to inspire the soldiers with that high courage which the exigencies of the battle-field demanded. The only considerable service they did, was the assistance they gave in dragging out upon the firm ground such of Stirling's soldiers as escaped massacre and drowning." "These fugitives," says a narrator, "came out of the water to us looking like drowned rats, and were truly a pitiful sight. Many of them were killed in the pond, and more were drowned; and when the tide fell, we found a number of corpses, and a great many arms, sunk in the pond and creek."

remnants of Smallwood's and Haslett's battalions, was confided the task of covering the retreat. "Torn with the shock of battle, and enfeebled by the terrible and exhausting exertions of its struggle, these brave men still kept the post of peril; and on their courage and devotion the commander-in-chief depended for covering the retreat."

Under pretence of attacking the enemy, these brave men remained under arms all night, marching and counter-marching, while their comrades were being safely conveyed across the river. On their courage and devotion depended the fate of the army, and perhaps of the cause. As daylight dawned the great task was accomplished, as the last of Washington's army crossed from the beach, between Fulton and Main streets. The enemy did not discover the retreat of the American army until the last detachment of the Marylanders and Pennsylvanians was half way across East River and out of reach.

The recent defeat disclosed to Washington the weakness and disorganization of his army, and filled his mind with a sad presage of the future. He writes to congress on the 3d of September: "Our situation is truly distressing, . . and, with the deepest concern, I am obliged to confess my want of confidence in the generality of the troops." After giving a gloomy and discouraging prospect of the future, he urged congress to exert every power it possessed to serve the cause

Washington's dissatisfaction with the policy of congress may be seen from the annexed letter to Lund Washington (who had been left in charge at Mount Vernon) which we print in full, as it has not yet found its way into history:

"*Colo. Morris's, on the Heights of Harlem,*
"*30th September, 1776.*

"*Dear Lund:* Your letter of the 18th, which is the only one received and unanswered, now lays before me. The amazement which you seem to be in at the unaccountable measures which have been adopted by [Congress] would be a good deal increased if I had time to unfold the whole system of their management since this time twelve months. I do not know how to account for the unfortunate steps which have been taken, but from that fatal Idea of reconciliation which prevailed so long—fatal, I call it, because from my soul I wish it may not prove so, tho' my fears lead me to think there is but too much danger of it. This time last year, I pointed out the evil consequences of short enlistments—the Experience of Militia—and the little dependance that was to be placed in them. I assured [Congress] that the longer they delayed raising a standing army, the more difficult and chargeable would they find it to get one—and that at the same time that the Militia would answer no valuable purpose, the frequent calling them, it would be attended with an experience that they could have no conception of. What does Dr. Craik say to the behaviour of his countrymen and townspeople? Remember me kindly to him, and tell him that I should be very glad to see him here, if there was anything worth his acceptance, but the Massachusetts people suffer nothing to go by them that they can lay hands upon."[1]

[1] *Southern Magazine*, xiv., p. 320; March, 1874. General Washington, in a letter to Lund Washington, to whom he left his estates and private affairs upon taking command of the army, dated "Camp at Cambridge, August 20, 1775," says: "The people of this government

In response to this application, congress, through President Hancock, transmitted, on the 3d of September, to the Maryland Convention the following letter:

"Our enemies being determined to make a powerful attack on New York, and the States adjoining thereto, and having for this purpose collected their whole force, from every part of the continent, it is incumbent on the United States of America to take the most effectual measures to defeat their deep laid schemes against this country.

"The congress have just received information from General Washington of the very great and superior strength of the enemy; and if we consider the recent change in the situation of our affairs at New York, we shall soon be convinced that nothing will prove

have obtained a character which they, by no means, deserved—their officers, generally speaking, are the most indifferent kind of people I ever saw. I have already broke one colonel and five captains for cowardice, and for drawing more pay and provisions than they had men in their companies—there are two more colonels now under arrest, and to be tried for the same offences. In short, they are, by no means, such troops, in any respect, as you are led to believe of them from the accounts which are published; but I need not make myself enemies among them by this declaration, although it is consistent with truth. I dare say, the men would fight very well (if properly officered) although they are exceedingly dirty and nasty people. Had they been properly conducted at Bunker's Hill (on the 17th of June), or those that were there, properly supported, the regulars would have met with a shameful defeat, and a much more considerable loss than they did, which is now known to be exactly 1,057, killed and wounded—it was for their behavior on that occasion that the above officers were broke, for I never spared one that was accused of cowardice, but bro't 'em to immediate tryal. * * * *

"Whether, as I have said before, the unfortunate hope of reconciliation was the cause or the fear of a standing army prevailed, I will not undertake to say; but the policy was to engage men for twelve months only—the consequence of which is, that you have had great bodies of militia in pay that were never in camp; you have had immense quantities of provisions drawn by men that never rendered you one hour's service (at least usefully), and this in the most profuse and wasteful way; your stores have been expended; every kind of military discipline destroyed by them; your numbers always fluctuating, uncertain, and forever far short of report—at no time, I believe, equal to 20,000 men fit for duty; at present, our numbers fit for duty (by this day's report) amounts to 14,759, besides 3,427 unarmed—and the enemy within a stone's throw of us. It is true a body of militia are again ordered in, but they come without any conveniences, and soon return. I discharged a regiment, the other day, that had in it fourteen rank and file fit for duty, only; and several that had less than fifty. In short, such is my situation that, if I was to wish the bitterest curse to an enemy on this side the grave, I should put him in my stead with my feelings; and yet I do not know what plan of conduct to pursue. I see the impossibility of serving with reputation, or doing any essential service to the cause, by continuing; and yet I am told that, if I quit the command, inevitable ruin will follow from the distractions that will ensue. In confidence, I tell you that I never was in such an unhappy, divided state since I was born. To lose all comfort and happiness on the one hand, whilst I am fully perswaded that, under such a system of management as has been adopted, I cannot have the least chance for reputation, nor those allowances made which the nature of the case requires; and to be told, on the other, that, if I leave the service, all will be lost—is, at the same time that I am bereft of every peaceful moment, distressing to a degree; but I will be done with the subject, with the precaution to you, that it is not a fit one to be publickly known or discuss'd. If I fall, it may not be amiss that these circumstances be known, and declaration made, in order to do justice to my character; and if the men will stand by me (which, by the by, I despair of), I am resolved not to be forced from this ground while I have life; and a few days will determine the point, if the enemy should not change their plan of operations, for they certainly will not. I am sure they ought not to waste the season that is now fast advancing, and must be precious to them.

"I thought to have given you a more explicit acc't of my situation, expectation, and feelings, but I have not time—I am wearied to death all day with a variety of perplexing circumstances; disturbed at the conduct of the militia, whose ill-behavior and want of discipline has done great injury to the other troops, who never had officers, except in a few instances, worth the bread they eat. My time, in short, is so much engross'd that I have not leisure for corresponding, unless it is on mere matters of business.

"Dr. Lund, your affectionate friend,

"GO. WASHINGTON."

an adequate remedy in our present circumstances, but the most vigorous exertions on our part. I am, therefore, by order of congress, to request you will immediately send all the aid in your power to our army at New York.

"The state of our affairs is so extremely critical that delay may be attended with fatal consequences. Suffer me, therefore, to press you in the name and by the authority of your country, to an immediate compliance, and with all the earnestness so naturally suggested by the importance of the cause. Although, I doubt not, your own ardor would be a sufficient stimulus, when called on by the voice of liberty, yet my anxiety is so great, I cannot refrain, on the present occasion, from beseeching you to exert yourselves. Everything is at stake. Our religion, our liberty, the peace and happiness of posterity, are the grand objects in dispute, which that we may be able to preserve and transmit to future generations—is the constant and uninterrupted wish of

Gentlemen, your most obedient and very humble servant,

JOHN HANCOCK, *President.*

Maryland did "not hesitate to comply with this request, when it is considered that this colony have exerted in the present most critical situation their utmost force in the common defence, having not only ordered the whole of their regular troops to march, but also have directed their Council of Safety to order our full quota of militia for the flying camp, now nearly ready, and waiting only for arms to repair immediately to the Jerseys." [1]

Two days after the arrival of Smallwood's regiment in New York, he was ordered to take a position on Harlem Heights, toward the northern end of New York Island. Washington in the meantime had sent all his surplus stores to the east side of Harlem River, and established his headquarters at Morrisania.

It now became obvious that Lord Howe intended to surround the American army by throwing his troops in the rear while his fleet occupied the front. Convinced that it would be impracticable to defend the city, Washington called a council of war, which decided on its evacuation. The decision was not made too soon, for while he was removing his stores on the 15th of September, several ships of war entered the Hudson River and ascended as far as Bloomingdale, while General Clinton embarked a large force, and crossing the sound landed at Kip's Bay.

Washington says that as soon as he heard the firing he rode with all possible despatch towards the place of landing, when, to "my great surprise and mortification, I found the troops that had been posted in the lines retreating with the utmost precipitation, and those ordered to support them, (Parson's and Fellow's Connecticut brigades,) flying in every direction, and in the greatest confusion, notwithstanding the exertions of their generals to form them. I used every means in my power to rally and get them into some order, but my attempts were fruitless and ineffectual; and on the appearance of a small party of the enemy, not more than sixty or seventy, their disorder increased, and they ran away in the greatest confusion, without firing a single shot."

[1] *Maryland Convention to President of Congress*, August 18, 1776.

Under the disheartening revelations which this incident afforded of the unfitness of the material with which he had undertaken the task of securing American liberties, the firmness of Washington gave way, and flinging his hat upon the ground, in a transport of indignation and despair, he exclaimed: "Are these the men with whom I am to defend America?" At the moment General Greene says he sought death rather than life; and, bare-headed and alone, Washington would have remained to meet his fate at the hands of the advancing enemy, had not his bridle been seized by an aid-de-camp, who preserved the life of the commander-in-chief in spite of the despair which made him, for the time, indifferent to it.[1]

Disgusted with such cowardice, Washington immediately sent a courier to General McDougall to send from his brigade Smallwood's battalion, knowing that he could depend upon its maintaining its position against all odds. It promptly came upon the ground and was ordered by Washington to take possession of an advantageous position near the enemy, on the main road, cover the retreat and defend the baggage of his flying army. They remained under arms at this post nearly all day, or until Sergeant's brigade passed (who were the last troops coming in), when the enemy, dividing their main body into two columns, endeavored to flank and surround them. Having accomplished the purpose of the commanding general, they now received orders to retreat, which they did in good order, and reached the lines about dusk.

On the following morning, about three hundred of the enemy made their appearance on Harlem Plains, in front of the American lines; and Washington, to cut them off from their main body, immediately sent three companies of Colonel Weeden's third Virginia regiment, under Major Leitch and Colonel Knowlton, with a body of Connecticut Rangers, to try to get in their rear, while he was to occupy them in front. Unfortunately, the flanking party began the attack before they got in the rear of the enemy, and after a sharp conflict Major Leitch and Colonel Knowlton were both mortally wounded. Finding that the enemy were receiving reinforcements, and that the Americans needed support, Washington advanced Griffith's and Richardson's Maryland regiments, of General Beale's brigade of the Maryland Flying Camp, with Major Price's three independent companies, and a detachment from a Rhode Island regiment. A letter from head-quarters, dated September 17th, says: "Never did troops go to the field with more cheerfulness and alacrity; when there began a heavy fire on both sides. It continued about one hour, when our brave southern troops dislodged them from their posts; the enemy

[1] General Smallwood, in a letter to the Maryland Convention, dated October 12, 1776, says: "I have often read and heard of instances of cowardice, but hitherto have had but a faint idea of it till now. I never could have thought human nature subject to such baseness. I could wish the transactions of this day blotted out of the annals of America—nothing appeared but flight, disgrace and confusion. Let it suffice to say, that sixty light infantry, upon the first fire, put to flight two brigades of the Connecticut troops—wretches who, however strange it may appear, from the brigadier-general down to the private sentinel, were caned and whipped by the Generals Washington, Putnam and Mifflin; but even this indignity had no weight—they could not be brought to stand one shot."—Graydon, p. 174; Reed, i., p. 236; Field, p. 229; Sparks, iv., p. 94; Gordon, ii., p. 327; *Chronicles of Baltimore*, p. 151.

rallied, and our men beat them the second time. They rallied again, our troops drove them the third time, and were rushing on them, but the enemy got on an eminence, and our troops were ordered to retreat, the general considering there might be a large number of the enemy behind the hill, concealed, which was the case.

"From the number of the enemy that I saw lay on the field dead and wounded, I think their loss must be three or four times ours. From our present situation, it is firmly my opinion we shall give them a genteel drubbing, in case the Yankees will fight with as much spirit as the Southern troops. General Washington gave great applause to our Maryland troops for their gallant behavior yesterday."[1]

Washington, in his letter to Congress, dated September 18, 1776, gives the following account of the charge of the Maryland soldiers: "These troops charged the enemy with great intrepidity, and drove them from the wood into the plain, and were pushing them from thence, having silenced their fire in a great measure, when I judged it prudent to order a retreat, fearing the enemy, as I have since found was really the case, were sent in a large body to support their party."[2]

Colonel Tench Tilghman, one of Washington's staff, in a letter from Harlem Heights, dated September 16th, 1776, says: "I don't know whether the New England troops will stand there, [Harlem Heights,] but I am sure they will not upon open ground. I had a specimen of that yesterday. Her two brigades ran away from a small advanced party of the regulars, though the general did all in his power to convince them they were in no danger. He laid his cane over many of the officers who shewed their men the example of running." Again, on the 19th, in alluding to the battle of Harlem Heights, he writes: "The general finding they wanted support, ordered over part of Colonel Griffith's and Colonel Richardson's Maryland regiments; these troops, though young, charged with as much bravery as I can conceive, they gave two fires and then rushed right forward which drove the enemy from the wood into a buckwheat field, from whence they retreated. The general fearing (as we afterwards found,) that a large body was coming up to support them, sent me over to bring our men off. They gave a hurra and left the field in good order. . . The prisoners we took told us they expected our men would have run away as they did the day before, but that they were never more surprised than to see us advancing to attack them. The Virginia and Maryland troops bear the palm. They are well officered, and behave with as much regularity as possible, while the Eastern people are plundering everything

TENCH TILGHMAN.

[1] *American Archives*, ii., p. 370.

[2] Sparks, iv., p. 98.

that comes in their way. An ensign is to be tried for marauding to-day, and the general will execute him if he can get a court-martial to convict him."[1]

Tench Tilghman was at this time the confidential secretary of Washington, and a close observer of events as they occurred at the headquarters of the commander-in-chief. He was the son of James Tilghman, and the grandson of Richard Tilghman, a surgeon, who emigrated from the County of Kent, England, about the year 1662, and settled upon Third Haven River, in Talbot County, but afterwards removed to the "Hermitage," upon Chester River, then in Kent, now in the County of Queen Anne's; was born on the 25th of December, 1744, at "Fausley," the plantation of his father, situated upon Fausley Creek, a branch of St. Michael's River, in Talbot County, about two miles from the town of Easton. His father, James Tilghman, was a distinguished lawyer, and removed from Talbot to Chestertown, in Kent, and from thence, in 1762, to Philadelphia, where he held many positions of honor and trust. He became secretary to the Pennsylvania Proprietary Land Office; one of the commissioners for the province of Pennsylvania, appointed by Governor Penn, for settling the boundary line between the colonies and the Indian territory, held at Fort Stanwix, in October and November, 1768. He was also a member of the governor's council, and private secretary of Juliana, the widow of one of the proprietaries. In the dispute between the colonies and the mother-country, he espoused the cause of the latter, and resigning his public trusts, soon after the outbreak of hostilities, returned to Chestertown, Kent County, Maryland, where he died. His wife, the mother of Tench Tilghman, was the daughter of Tench Francis, Esq., the elder, originally of Ireland, from which he emigrated when a boy, to Talbot County, where he married, under romantic circumstances, the daughter of Foster Turbutt, of Ottwell, in that county, became clerk of the court and deputy commissary general. He removed to Philadelphia, where he became attorney general of the province of Pennsylvania, and rose to great eminence as a lawyer. He was the brother of Richard Francis, the author of a work entitled *Maxims of Equity*, and also brother of Dr. Philip Francis, the translator of Horace, who was the father of Sir Philip Francis, the putative author of *Junius's Letters*.

Tench Tilghman was one of a family of twelve children. Of these, six were brothers, all of whom became distinguished. Richard, the second brother, was educated as a lawyer, at the Temple, in London, and obtaining employment in the civil service of the East India Company under Warren Hastings, died at sea. James, the third brother, also a lawyer, was one of the associate justices of Talbot County, his kinsman of the same name being chief judge. William, the fourth brother, was eminently distinguished. He was born in Talbot County August 12th, 1756, and after the removal of the family to Philadelphia, studied law in 1772 under Benjamin

[1] *Memoir of Lieutenant-Colonel Tench Tilghman*, pp. 137-138.

Chew. He was admitted to the Maryland Bar in 1783; in 1793 began practice in Philadelphia, and upon the establishment of the United States Circuit Courts was appointed judge of the Pennsylvania Circuit. But upon the repeal of the law he resumed his practice, and in July, 1805, was appointed president of the Court of Common Pleas in the first district, and in February, 1806, chief justice of the State Superior Court. In 1788, and several successive years, he was a member of the Maryland Legislature. He was elected president of the Pennsylvania Society in 1824, and in 1809 he prepared, by the direction of the legislature of that State, a report of the English statutes in force in Pennsylvania. He also published in 1818 an eulogium on Dr. Wistar, and in 1820 an address before the Philadelphia Agricultural Society. He died in Philadelphia, April 30th, 1827.

Philemon, the fifth brother, in politics sympathized with his father, and at the early age of fifteen went to England and entered the British Navy, in which he received a commission, and finally married the daughter of Admiral Millbanke. Thomas Ringgold Tilghman, the youngest brother, became a well known merchant, first of Alexandria, and then of Baltimore. He died young. The sisters married gentlemen of eminent respectability upon the Eastern Shore of Maryland.

Upon the beginning of hostilities between Great Britain and the colonies, Tench Tilghman determined to unite his fortunes with the latter, and joined the famous "Silk Stockings" light infantry of Philadelphia. "It was commanded by a scion of one of the most respectable and prominent Maryland families, Captain Sharpe Dulaney, and was composed of the *jeunesse dorée* of the city of Philadelphia, of young men of the best social position." He was made lieutenant, and when it joined the army of Washington, he was appointed captain. Before he was called into active service in July, 1775, he was appointed secretary and treasurer of a commission composed of Major-General Philip Schuyler, Major Joseph Hawley, Tarbutt Francis, (his maternal uncle), Oliver Wolcott and Volkert P. Douw for the purpose of securing the neutrality of the Indians along the whole frontiers from Canada to Florida. The commission left New York on the 5th of August, 1775, and returned to that point on the 4th of September, after having negotiated a treaty of peace with the Six Nations. In the early part of the year 1776, he joined the army of Washington and with his company known as the "Ladies' Light Infantry," or "The Silk Stocking Infantry," made a part of what was called the Flying Camp. By his personal merits, and high social position and liberal education, he soon attracted the attention of his superiors in rank, and with the aid of influential friends he was soon invited to take a place upon the staff of Washington. In August, 1776, he became aid-de-camp with the rank of lieutenant-colonel on the staff of the commander-in-chief, whose military family at this time consisted of Colonel Robert Harrison, of Maryland, Colonel Meade and Colonel Webb. The latter in a short time was promoted, and Colonel Alexander Hamilton, in 1777, was appointed to fill the vacancy.

There being no established rules regulating the order of promotions, General Washington, on May 11th, 1781, in a letter to Honorable John Sullivan, a member of congress, urged him with great earnestness to prevail on congress to adopt some method which should reconcile the disputes and disagreements which prevailed in the army upon this subject He said, "I also wish, though it is more a matter of private than of public consideration, that the business could be taken up on account of Mr. Tilghman, whose appointment seems to depend on it; for if there are men in the army deserving of the commission proposed for him, he is one of them. This gentleman came out a captain of one of the light-infantry companies of Philadelphia, and served in the Flying camp in 1776. In August, of the same year, he joined my family, and has been in every action in which the main army was concerned. He has been a zealous servant and slave to the public, and a faithful assistant to me for nearly five years, a great part of which time he refused to receive pay. Honor and gratitude interest me in his favor, and make me solicitous to obtain his commission. His modesty and love of concord placed the date of his expected commission at the first of April, 1777, because he would not take rank of Hamilton and Meade, who are declared aids in order (which he did not chose to be), before that period, although he had joined my family and done all the duties of one from the first of September preceding." Tilghman's commission as lieutenant-colonel was, therefore, issued, in accordance with his own wishes, on May 30th, 1781, to date from April 1st, 1777. His rank, as well as his position of assistant and confidential secretary to Washington, he continued to hold until the close of the war, without seeking or desiring promotion. He served with great distinction throughout the war, and bore to congress the news of the surrender of Cornwallis, which, October 29, 1781, recognized by a vote his eminent merit and abilities. On the 9th of June, 1783, he married Miss Anna Maria Tilghman, the daughter of his uncle, Hon. Matthew Tilghman. At the close of the war, on the 1st of January, 1784, he formed a business partnership with Mr. Robert Morris, the great financier of the Revolutionary War, Mr. Tilghman to reside in Baltimore, and the latter in Philadelphia. The style of the firm in Baltimore was Tench Tilghman & Company. The partnership, which was a very successful one, continued until the death of the junior partner on the 18th of April, 1786. His remains are buried in the old St. Paul's burial ground at the corner of Fremont and Lombard streets. He left two children, daughters, one of whom was a posthumous child. The eldest of these married Tench Tilghman, son of Peregrine Tilghman, from whom has sprung a numerous family. The youngest married Colonel Nicholas Goldsborough, from whom also have come many descendants.

The death of Colonel Tilghman caused many expressions of sorrow and tributes to his worth. Robert Morris said, "you have lost in him a most faithful and valuable friend. He was to me the same. I esteemed him very

much, and I lament his loss exceedingly." General Knox, in a letter to his widow said, "Death has deprived you of a most tender and virtuous companion, and the United States of an able and upright patriot. When time shall have smoothed the severities of your grief, you will derive consolation from the reflection that Colonel Tilghman acted well his part in the theatre of human life, and that the supreme authority of the United States have expressly given their sanction to his merit." Washington, in a letter to Jefferson, dated August 1st, 1786, said, "Colonel Tilghman, who was formerly of my family, died lately, and left as fair a reputation as ever belonged to a human character." Again, in a letter to his father, dated June 5th, 1786, he says, "Of all the numerous acquaintances of your lately deceased son, and amidst all the sorrowings that are mingled on that melancholy occasion, I may venture to assert (that excepting those of his nearest relatives) none could have felt his death with more regret than I did, because no one entertained a higher opinion of his worth or had imbibed sentiments of greater friendship for him than I had done. That you, sir, should have felt the keenest anguish for this loss, I can readily conceive; the ties of parental affection, united with those of friendship, could not fail to have produced this effect. It is, however, a dispensation, the wisdom of which is inscrutable; and amidst all your grief, there is this consolation to be drawn, that while living, no man could be more esteemed, and since dead, none more lamented than Colonel Tilghman."[1]

The result of the engagement at Harlem Heights produced, as is apparent from the correspondence of the time, great encouragement throughout the army. Unfortunately, however, sectional feeling began to prevail among the troops. This subject became a great source of solicitude to Washington, who, in a letter to General Schuyler, dated July 17th, says: "I must entreat your attention to do away the unhappy and pernicious distinctions and jealousies between the troops of different governments." Adjutant General Reed, speaking on this subject observes: "The Southern troops, comprising the regiments south of the Delaware, looked with very unkind feelings on those of New England, especially those from Connecticut, whose peculiarities of deportment made them the objects of derision among their fellow soldiers."

Smallwood's regiment contrasted vividly in point of equipment and discipline with the rustic attire and soldierly qualities of the battalions from the East. "There were none," says Graydon, a contemporary writer, "by whom an un-officer-like appearance and deportment could be less tolerated than by a city-bred Marylander, who, at this time, was distinguished by the most fashionable cut coat, the most *macaroni* cocked hat, and hottest blood in the union." As an evidence of the antipathy prevailing between the Southern and Eastern troops at this time, he cites an instance which caused a court-martial of which he was a member. He says Lieutenant Jack Stewart,

[1] *Memoir of Lieutenant-Colonel Tench Tilghman*, &c., by Oswald Tilghman.

subsequently Major Stewart, of Smallwood's regiment, was tried by General Sullivan on account of some alleged disrespect or disobedience to him.

"As the majority of the court were Southern men, it was not at all wonderful that Stewart was soon acquitted with honor. In so contemptible a light were the New England men regarded, that it was scarcely held possible to conceive a case which could be constructed into a reprehensible disrespect of them. . . The dashing manner of Stewart, and indignant tone of Captain Smith (now General Samuel Smith), who testified in his behalf, impressed the court, I remember, with a high idea of their military qualities: and brave men they certainly were—a praise, indeed, due to the officers from Maryland generally; as well as to those of Smallwood's battalion, which behaved well and suffered severely on Long Island and at White Plains. Its officers exhibited a martial appearance by a uniform of scarlet and buff; which, by the by, savoured somewhat of servility, if not imitation, not fully according with the independence we had assumed. The common soldiers from the east and south, did not much better assimilate than the officers."

Thatcher, in his military journal remarks that, "since the troops from the Southern States have been incorporated and associated in military duty with those from New England, a strong prejudice has assumed its unhappy influence, and drawn a line of distinction between them. Many of the officers from the south are gentlemen of education, and unaccustomed to that equality which prevails in New York. . . . Hence, we too frequently hear the burlesque epithet of Yankee from one party, and that of Buckskin, by way of retort from the other."

Additional asperity was given to this feeling by the contrast of the gallantry the Maryland troops displayed at Long Island, Kip's Bay, Harlem Heights and White Plains, with the cowardice of a portion of the New England troops. Graydon says it was "fashionable to run away; and Pennsylvania and Maryland must pay for the retreating alacrity of New England."[1] Soon after the battle of Long Island, Colonel Seymour, of Connecticut, offered the services of his six hundred mounted cavalrymen to serve as infantry. A few days of hard service and the dangers which were hovering around the hard-pressed American army made him regret his rash fervor, and he therefore addressed a note to Washington, stating that he had discovered that it was contrary to the laws of Connecticut for her cavalry to serve as infantry, and therefore demanded the dismissal of himself and troops. Washington replied contemptuously, that "as his men considered themselves exempt from the common duty of soldiers, would not mount guard, do garrison duty, or perform service separate from their horses, on an island where horse-troops could not be brought into action, he did not care how soon they were dismissed."[2] It is related that General Lee was at one time greatly ruffled by the demands of these valiant cavalrymen. While busily engaged with other duties, several of the "Connecticut light-horse" appeared before him "in large full-bottomed perukes, and demanded and were treated very

[1] *Memoirs*, p. 193.

[2] Irving's *Washington*, ii., p. 284.

irreverently." One wanted forage, another his horse shod, another his pay, a fourth provisions, etc., to which the general replied: "Your wants are numerous; but you have not mentioned the last—you want to go home, and you shall be indulged; for d—n you, you do no good here."[1] At the battle of Long Island, one of these troopers was captured and brought before a British officer, and upon being asked what was his particular line of duty in the American army, he replied that it was "to flank a little and carry tidings." Graydon also says: "I very well recollect, that it was found necessary to post a guard at King's Bridge to stop the fugitives; and that upon one of them being arrested with a number of *notions* in a bag, there was found among them a cannon ball, which, he said, he was taking home to his mother, for the purpose of pounding mustard." The slight esteem into which the New England troops generally had fallen, on these accounts, had become still less in consequence of the frequent panics which added to their disorder and insubordination; and the not unfrequent desertion of entire picket-guards, and whole companies had brought them very low in favor with the commander-in-chief. Graydon says: "In short, it appeared that the sordid spirit of gain was the vital principle of this greater part of the army. The only exception I recollect to have seen, to these miserably constituted bands from New England, was the regiment of Glover, from Marblehead. There was an appearance of discipline in this corps; the officers seemed to have mixed with the world, and to understand what belonged to their stations. . . But even in this regiment there were a number of negroes, which, to persons unaccustomed to such associations, had a disagreeable, degrading effect." The sentiment of Graydon is somewhat supported by Washington, in a letter to General Reed, dated February 10th, 1776. "Notwithstanding all the public virtue which is ascribed to these people, there is no nation under the sun that pays more adoration to money than they do." Again, in his affecting letter to the president of congress, of the 20th of December, he uses the following strong language in relation to the lethargy and backwardness of "these people" to turn out in defence of their country. He observes: "When danger is at a distance they will not turn out at all; when it comes home to them, instead of flying to arms, the well-affected are employed in securing their families and effects, whilst the disaffected are concerting measures to make their submission, and spread terror and dismay all around, to induce others to follow the example."[2]

Gordon says: "It is a mortifying truth, that some of the Massachusetts officers disgrace the colony by practicing the meanest acts of peculation. Every subtlety that avarice can invent, or rascality carry on, are used to cheat the public, by men who procured commissions, not to fight for the liberties of their country, but to prey upon its distresses."

[1] Wilkinson's *Memoirs*, i., p. 105.

[2] Field's *Long Island*, p. 229, etc. Wilkinson's *Memoirs*, i., pp. 117-217. Graydon's *Memoirs of a Life Chiefly Spent in Pennsylvania*, pp. 148-174. Read's *Life and Correspondence*, i., pp. 131, 141, 158, 229, 231, 236, 239, 351. Irving's *Washington*, ii., p. 282, etc. Gordon's *American Revolution*, ii., pp. 141, 289, 317. Greene's *Life of Greene*, i., p. 209. Thatcher's *Military Journal*, pp. 37-61. Sparks, iv., p. 94, etc.

General Washington, knowing that he could rely upon the Marylanders in his army often chose them for the post of danger. He evinced no want of confidence, and often acted as if in command of veteran troops, whose resolution he had tried and on whom he could rely. They were the first who met face to face with fixed bayonets, the veteran legions of British regulars; and no troops poured out their blood more freely for the common cause than those of Maryland. No troops behaved more steadily. "The gallantry of the Southern men," as the adjutant-general said, speaking of these troops, "has inspired the whole army."[1]

They were Washington's favorite troops and the heroes of his first campaign. And we can safely assert that if the rest of the army had displayed half the gallantry of Smallwood's "scarlet and buffs," many hard fought engagements would have ended in victories instead of defeats. In detailing their services to the Maryland Council of Safety, in October, 1776, Colonel Smallwood, who was a keen observer of men and things, as well as a gallant officer, gives undoubted assurances of these facts, for he says, "hitherto we have been generally drawn from our station and baggage, to cover the retreat and defend the baggage of others, which has subjected us to much loss upon the retreat, or rather flight from New York. I have scarce an officer, myself included, or soldier who did not lose more or less of their baggage, pillage by the runaways; indeed, I believe many of them never had other views than flight and plunder, both which they are extremely dexterous at. General Washington was so kind, after he left the common where we were posted, to stop wagons himself, and made one of his aides-de-camp attend the sending of our baggage; but as I had left but four soldiers as a camp-guard, being desirous the regiment upon this occasion should be as full as possible, these could not guard the wagons, and thus we lost part of our baggage. Have since stripped from these poltroons several of our soldiers' coats, and had them severely scourged." In conclusion, he remarks that none of the States have filled their quotas of troops but Maryland, and adds, "Our Northern generals have introduced a new system for conducting this war, which subverts every principle in the art of war adopted by other States; for instead of instructing their troops in the principles of military discipline, preparing and encouraging to meet their enemies in the fields and woods, they train them to run away, and to make them believe they never can be safe unless under cover of an intrenchment, which they would rather extend from the north to the south pole than risk an engagement."[2]

These sectional jealousies, together with the depressed and disorganized state of his army, gave Washington much uneasiness; and more particularly at this juncture, when he beheld before him a hostile army, armed and equipped at all points, superior in numbers, thoroughly disciplined, flushed

[1] Read, i., p. 221.

[2] *American Archives*, 5th series, ii., p. 1098.

with success, and abounding in the means of pushing a vigorous campaign. He, however, practiced the most unceasing vigilance, and made solemn preparations for the impending conflict.

Having completed his preparations, General Howe, on the 12th of October, landed a large body of troops at Frog's Neck, on Long Island Sound, and at the same time a portion of his fleet ascended the Hudson, to cut off all supplies from the country south and west of that river. Colonel Smallwood's regulars were sent with Colonel Hand's and Prescott's battalions, to keep them in check at King's Bridge.

In the meantime, New York Island, with the exception of Forts Washington and Lee, was evacuated, and the line of Highlands on the west side of the river Bronx, from Kings Bridge to White Plains, was occupied by Washington's army, waiting the attack which the enemy had threatened for the last four weeks. On the 18th, General Howe re-embarked his troops and landed again on Pell's Neck at the mouth of Hutchinson River, and began his march towards the American lines in the direction of New Rochelle and White Plains. The American army in four divisions, under Lee, Heath, Sullivan and Lincoln, moved to the left, taking care not to be outflanked, and finally concentrating in a strongly fortified camp near White Plains. The British followed up the retreating army; and on the 28th, in two divisions, the right under Clinton and the left under Von Heister, advanced on the American lines. Their principal object of attack was Chatterton Hill, an advanced position on the west of the Bronx, which covered the road from Tarrytown to White Plains. This position was occupied by Brigadier-General McDougall's brigade, to which were attached Smallwood's regulars, then the largest regiment in the army.[1]

[1] By General Washington's army-return for the 14th of September, we find that Colonel Smallwood's regiment was reduced to a total of 684 men, of which number only 397 were present for duty. On the 19th of September, by a general order, the six independent companies under Major Price were attached to the battalion, and by the army-returns of September 21, Smallwood's battalion numbered 840 men, with only 427 fit for duty, the others being on the sick list. By the same return, General Beale's brigade of militia, consisting of Griffith's, Hall's Richardson's and Ewing's regiments, had a total of rank and file of 2,189 men, of which number only 1,717 were present and fit for duty. By a separate return, made out on the 27th of September, by Colonel Smallwood, he had a total of 846, rank and file, with only 419 present and fit for duty. At this time over one half of the Maryland troops were sick and unfit for service. Smallwood writes in October to the Council of Safety, "we want medicine much; none can be had here. Our sick have and are now suffering extremely. The number, you'll observe from the list, is very considerable, owing in a great measure to the bad provision made for and care taken of them, the men being often moved, and have been exposed to lie on the cold ground ever since they came here; often lying without their tents for several nights, as is now the case, having been five nights and days without them, being ever since the enemy landed up here. . . . They must be injured much by lying in the open air at this season, and in this place where heavy dews prevail so much, and I may justly say our corps have had a greater proportion of this duty than any in this army, for we have generally acted in brigade under northern brigadier-generals who have seldom failed to favor their own and put the labouring oar on our regiment; but it has perhaps made us the better soldiers."

Colonel Ewing to the Maryland Council of Safety on the 13th of October, observes: "Sorry I am to inform you that the battalion is very sickly. By the last return, I had two hundred and thirty-seven privates sick, besides officers, owing to our lying on the cold ground, without straw or plank, which is not to be had, and medicine very scarce. Great numbers of the soldiers

As soon as General McDougall's force was in position, the enemy began a furious cannonade from a number of field-pieces which were posted on the rising ground in front of the hill. This was feebly answered by two pieces of artillery under the command of Captain Alexander Hamilton. In the meantime, Colonel Rahl, with a brigade of Hessians, was detached to make a circuit southwardly round a piece of wood, cross the Bronx about a quarter of a mile below, and ascend the hill in the rear, while General Leslie with the second English brigade, and Donop with the Hessian grenadiers and the Hessian Lossberg regiment was to ford the Bronx and charge directly in front up the hill. Before these preparations were completed, and while the British troops were struggling up the hill, Smallwood's regiment, which since the bravery exhibited on Long Island on the 27th of August, seems to have been chosen for all feats of peculiar danger, was ordered to march down the hill and attack the enemy. A long and severe contest ensued, in which the enemy gave way. They rallied again, however, and being supported by fifteen pieces of artillery, got the advantage. In the midst of this cannonade, Brook's Massachusetts regiment, which was stationed on the extreme right of the American line behind a stone fence, "fled in confusion, without more than a random scattering fire." The artillery, in great haste, then followed with the rest of McDougall's brigade, excepting Smallwood's regulars and Reitzman's New York regiment. For about half an hour these troops, thus deserted on all hands, sustained themselves with the greatest gallantry under the heavy fire of the enemy's artillery and musketry. Twice they repulsed horse and foot, British and Hessians, until, cramped for room and greatly outnumbered, they slowly and sullenly retreated down the north side of the hill, where there was a bridge across the Bronx. Smallwood remained upon the ground for some time after the retreat had begun, and received two flesh wounds, one in the hip, the other through the arm. At the bridge over the Bronx, the retreating troops were met by General Putnam, who was coming to their assistance with General Beall's Maryland brigade, and in the rear of this force they marched back into the camp.[1]

In this severe action the Americans lost about ninety killed and wounded, of which number Smallwood's regiment lost over one-half.[2]

In consequence of Smallwood's wounds, the command of his regiment devolved upon Major Gist. In a letter to the Council of Safety, on the 2d of

are badly off for clothing. Numbers of the soldiers are without blankets. Some who never received any, and some of the first three companies lost theirs in leaving New York. Our soldiers, what of them are in health appear to be in good spirits, ragged, and several without shoes to their feet."—*American Archives*, 5th series, ii., pp. 330, 414, 450-1, 567, 1023, 1062, 1099, 1285.

[1] *American Archives*. 5th series, ii., p. 1283. Sparks, iv., p. 528.

[2] Dr. John Pine, in a letter from White Plains, dated November 7, 1776, to James Tilghman, writes: "On the 28th of October, in the afternoon, while our people were engaged in a very hot battle, . . . Colonel Smallwood's battalion suffered a good deal. The Colonel himself was wounded in two places; the number of killed and wounded, as the report is, in the camp amounts only to about ninety, but from the wounded I saw myself in our hospitals and adjacent houses, there must at least be one hundred and twenty or thirty wounded. The number killed I do not know."

November the latter writes: "Since the skirmish, the enemy have been exceedingly busy in erecting a breastwork on the eminence they took from us. Yesterday morning having got prepared to open it upon us, the general ordered us to abandon our front lines, which, in our present situation, was rendered useless to us. The enemy immediately took possession of them, and judging that we were making a precipitate retreat, formed the line, and advanced upon us with a large column to bring on the attack, the artillery on each side keeping up a small fire, and they soon found their situation disagreeable, and as if ashamed of the attempt, they sneakingly skulked behind a wood, and retired unseen to the lines."[1]

Washington, upon the retreat of his forces from Chatterton Hill, removed his army a short distance in the rear, and spent the night in throwing up redoubts, breastworks, etc. So formidable were these defences, that Howe delayed his attack and ordered up Lord Percy from Harlem with the fourth brigade and two battalions of the sixth. And as the enemy were endeavoring to outflank him on the right, Washington sent off General Beall with three of his Maryland regiments to secure Croler's Bridge over Croton River. On the 31st, Washington, perceiving that Howe had finished batteries and received re-inforcements, drew back his army to the high ground above White Plains, where at long cannon shot he was approachable from the front, and he held the passes in his rear. Howe did not attempt to dislodge him, but on the 5th of November, broke up his camp and marched to Dobbs' Ferry. Leaving General Lee in command of the eastern troops at Northcastle, Washington now sent Colonel Smallwood's regiment and General Beall's brigade of Marylanders, and the Virginia troops under Lord Stirling (who had been exchanged) to Peekskill, to cross the Hudson at King's Bridge, at the entrance of the Highlands. All the troops belonging to the States west of the Hudson were to be stationed in the Jerseys under command of General Putnam. Having made this disposition of his forces, Washington left his camp at Northcastle on the 10th of November and joined his favorite troops under Lord Stirling at Peekskill. After posting a small corps here under the command of General Heath for the defence of the Highlands, Washington, on the 12th of November, with the remainder of his force, crossed the Hudson at King's Ferry and moved into the Jerseys to a post opposite Fort Washington. Feeling anxious about affairs at Fort Washington, he left the troops on the route, and accompanied by Colonel Reed, struck a direct course for Fort Lee,

[1] With this letter, he states that Captains Scott and Bracco, Sergeants Westley, Belt and Hudson of his regiment were killed in the engagement of the 28th, and Colonel Smallwood, Lieutenants Waters and Goldsmith wounded. Thirty-eight privates were also killed and wounded, making forty six in all. He adds that, including the independent companies, the regiment was reduced to 298 effective men, and they were badly off for clothes, having lost the principal part of their baggage.

Mr. William Harrison, in a letter to the Council, dated 28th of November, says: "In the battle of the White Plains, as in too many more of a similar nature, our generals showed not equal judgment to that of the enemy. We were badly disposed to receive the attack of the enemy's small arms, and unfortunately much exposed to their artillery, which flanked us so heavily as to render the post tenable but a short time."

where he arrived on the 13th of November, and found, greatly to his disappointment, that General Greene had made no disposition to evacuate Fort Washington, but on the contrary had reinforced it with a part of Colonel Durkee's regiment and the Maryland rifle regiment of Colonel Moses Rawlings, so that the garrison now numbered upwards of two thousand men.

On the 14th of November, a large force of the enemy in flat-bottomed boats passed the American forts on the Hudson, and made their way through Spytden Duivel Creek into Harlem River. Being in a position to land in front of the unprotected parts of the American works, General Howe, on the 15th, sent a summons to Colonel Magaw, the commander of Fort Washington, to surrender, which he indignantly refused. Early on the following day Colonel Magaw posted his forces in two lines and made preparations for the attack. The first line was a considerable distance from the fort, and the second (which was capable of holding the entire garrison,) much nearer. The troops were posted chiefly in the front line; Colonel Lambert Cadwalader with his Pennsylvanians occupied a position about two miles and a-half south of the fort, and was confronted by Lord Percy of the British army. Colonel Rawlings with his regiment of riflemen[1] was stationed by a three gun battery, on a hill north of the fort on the front line between Fort Washington and Spytden Duivel Creek. Colonel Baxter, of Pennsylvania, with his regiment of militia was stationed east of the fort on the heights fronting Harlem River.

General Howe disposed of his force so as to make four simultaneous attacks; one on the north by Knyphausen with Rahl and his Hessians and Waldeckers on the York side of King's Bridge; another, by General Magraw and Lord Cornwallis, who was to cross Harlem River in boats and land on the right of the fort. A third, under Colonel Stirling, was to move down Harlem River to the left of the American lines facing New York. The fourth attack, under the command of Lord Percy with English and Hessian troops, was to be on the south or the right flank of the American intrenchments.

About noon, amid a heavy cannonade, the attack commenced by Knyphausen and Rahl with nearly four thousand men marching on Rawlings and his riflemen. While these brave men were holding the enemy, who outnumbered them five to one, in check, General Magraw crossed Harlem River in flat-boats, and charging Colonel Baxter, a sharp contest ensued, in which the latter was killed. The Pennsylvanians then retreated to the fort. Magraw now pushed on to cut off Cadwalader who was gallantly defending his

[1] Composed of four companies of Virginians and four of Marylanders, and officered by Colonel Stephenson, of Virginia, and Lieutenant Colonel M. Rawlings and Major Otho H. Williams, of Maryland. Two of the companies now commanded by Captain Philemon Griffith and Captain Richard Davis were those raised in Frederick and commanded, respectively, by Captains Cresap and Price, which served in the army before Boston in 1775. The other two companies were commanded by Captain Thomas Beale and Captain Smith, and were raised the former in Frederick and the latter in Harford counties. The four companies of Germans raised in Harford, Frederick and Baltimore counties, were commanded, respectively, by Captains Heiser, Graybill, Fister and Keeports. Together with four companies raised in Pennsylvania, they formed a regiment, and were officered by Colonel Hansegger, of Pennsylvania, and Lieutenant Colonel George Stricker and Major Weltner, of Maryland.

position from Lord Percy. Thus doubly assailed, Cadwalader retreated to the fort and huddled together in its narrow precincts in great confusion. For some time Rawlings, with his riflemen and three-gun battery, kept the Hessians and Waldeckers at bay, but excited by the contest, Rahl cried out: "Forward, my Grenadiers, every man of you!" his drums beat; his trumpeters blew the notes of command; and all who escaped the fire from behind the rocks shouted "hurrah!" and pushed forward without firing, till Hessians and Americans were mixed together.[1] At length, after a stubborn resistance of over two hours, Rahl, with the right of his column, forced his way directly up the north side of Rawlings' position, at Spytden Duivel Creek, and coming upon his men in the flank and rear, whose rifles, from frequent discharges, had become foul and almost useless, with Rawlings and Otho Williams wounded, and with no support, drove them from their position, and followed them, fighting all the way, until within a hundred yards of the fort. Here the Hessians took a position behind a stone house, and sent in a flag of truce with a second summons to surrender. The fort being so crowded by the garrison and the troops which had retreated into it, and Magaw finding it impossible to defend it, he surrendered.

This was the severest blow which Washington had yet sustained. The American loss was about one hundred and forty-nine, but they gave up valuble stores and arms, and about twenty-six hundred soldiers. About four hundred Marylanders were taken prisoners, among whom were Lieutenant-Colonel Rawlings, Major Williams and Lieutenant Peter Contee Hanson, who died a prisoner in New York. Lawrence Everheart, of Maryland, and some of his comrades, escaped in a boat after the surrender. The loss of the enemy was nearly nine hundred killed and wounded, more than half of which was sustained in the attack upon Rawlings' riflemen.[2]

The various battles around New York, in 1776, put the British in possession of nearly four thousand prisoners; and instead of adopting the humane system of releasing them on parole, they adopted the cowardly policy of confining them in sugar-houses and other large buildings in New York, and in prison-ships in Wallabout Bay. The inhumanity with which they treated the unfortunate Americans who fell in their hands, is almost incredible. On the prison-ships thousands were inhumanly and cowardly murdered. It is

[1] Bancroft, ix., p. 190.

[2] Gordon says: "It cost Knyphausen 'near upon eight hundred men' to force the 'single regiment of Rawlings back.'"—*History of American Revolution*, ii., p. 349.

G. W. Greene says: "Had Rawlings been supported, Knyphausen could not have gained the north lines. But the men refused to man them, and crowded into the redoubt, where they became a compact mark for the enemy's guns. The defence on the east was still more irresolute; and there are questions connected with that on the south which will, it is probable, never be solved. But, had it been like that of Rawlings' riflemen, it would have well nigh crippled the enemy."—*Life of Greene*, i., p. 274.

General Washington, in a letter to his brother, John A. Washington, dated November 19, 1776, in referring to the capture of Fort Washington, only mentions the services rendered by Rawlings' regiment. He remarks, by Gen. Greene's account: "The enemy have suffered greatly on the north side of Fort Washington. Colonel Rawlings' regiment (late Hugh Stephenson's) was posted there, and behaved with great spirit."—Sparks, iv., p. 182.

stated that not less than eleven thousand perished in the *Old Jersey*—the "Hell," as she was called—alone; and how many were added to this number from the other ships, will never be known. The prisoners were half starved on worm-eaten bread and peas, and putrid beef, which they often had to eat raw; and those sick with small-pox and infectious fevers were left among them unattended, without medicines to relieve them, or water to cool their parched lips. Denied the light and air of heaven, starved by their inhuman keepers, and broken-hearted by the supplications and groans of their distressed kindred and countrymen, they sickened and died, and were thrown like dogs into their native soil, unless it happened to be the good pleasure of Cunningham, their infamous jailor, to march them out, under cover of midnight darkness, to the gallows.[1]

[1] "The mode of these private executions was thus conducted," says the miserable wretch, Cunningham, in his confession at his own execution for crime, soon after the war: "A guard was dispatched from the provost about half-past twelve at night, to the Barrack street and the neighborhood of the upper barracks, to order the people to shut their window-shutters and put out their lights, forbidding them at the same time to presume to look out of their windows and doors on pain of death; after which the unfortunate prisoners were conducted, gagged, just behind the upper barracks, and hung without ceremony, and buried by the black pioneer of the provost." In this manner there were about two hundred and sixty American prisoners murdered.

The appearance of the *Old Jersey* is thus graphically described by Capt. Dring: Leaving New York with 130 prisoners, brought in by the British ship *Belisarius*, he proceeded to the place of their imprisonment under the charge of the notorious David Sprout, commissary of prisoners. "We at length doubled the point," he says, "and came in view of the Wallabout, where lay before us the black hulk of the *Old Jersey*, with her satellites, the three hospital ships, to which Sprout pointed in an exulting manner, and said, 'There, rebels, there is the cage for you!' . . . As he spoke, my eye was instantly turned from the dreaded hulk; but a single glance had shown us a multitude of human beings moving upon her upper deck. It was then nearly sunset, and before we were alongside, every man, except the sentinels on the gangway, had disappeared. Previous to their being sent below, some of the prisoners, seeing us approaching, waved their hats, as if they would say, 'approach us not;' and we soon found fearful reason for the warning." While waiting alongside for orders, some of the prisoners addressed them through the air holes, which we have described. One of them said, "that it is a lamentable thing to see so many young men in full strength, with the flush of health upon their countenances, about to enter that infernal place of abode. Death," he said, "had no relish for such skeleton carcasses as we are; but he will now have a feast upon you fresh comers." The 130 new comers were registered and sent below; but they could not sleep, the intolerable heat and foul air was too much for endurance. During the hot weather, the prisoners were admitted, one at a time, on deck through the night. When this great privilege was granted, they assembled in a crowd around the grate at the hatchway, for the purpose of getting fresh air, and to take their turn to go on deck. Frequently, when this was the case, the sentinels would thrust their bayonets down among them with the most wanton cruelty. Twenty-five were thus butchered in one night. Other witnesses thus speak of four, six, eight and ten victims thus murdered at different times.

At sundown the prisoners were ordered below deck. "Down, rebels, down," was the language of their cruel guards; and in the morning, after the sufferings of the night, its long, anxious and painful watches, its untold agonies, and unnumbered deaths, the "rebels" were commanded, in tones of derision, to "turn out their dead." The allowance of clothing was also bad, and its quality outrageous; while dysentery, fever, small-pox, and the recklessness of despair, filled the hulks with filth of the most disgusting character. In such a place, the mingled sick and dying, and dead, presented a scene too horrible to contemplate, and from which the coldest heart must have turned away.—*Martyrs to the Revolution in British Prison Ships in the Wallabout Bay.*

While Otho H. Williams was a prisoner in New York, the British, to intimidate him, placed a rope around his neck, and seating him upon a coffin, rode him through the city to a gallows. —Thatcher's *Journal*, p. 77.

Graydon says the unfriendly feeling that prevailed between the southern and eastern troops caused a continued change of prisoners "in favor of the eastern officers, to the cruel discouragement of the southern."—p. 211.

General Howe determined to follow up his success by the capture of Fort Lee. With this object, he moved np the east side of the Hudson, on the 20th of November, with a force of about five thousand men, under the command of Lord Cornwallis, and crossed about five miles above the fort. As the fort was not tenable from the Hudson side, Washington immediately directed the troops, consisting of General Beall's Maryland, and General Heard's New Jersey brigade, and part of General Ewing's, of Pennsylvania, to evacuate the fort and cross to the west side of Hackensack River, leaving behind all their baggage, artillery and stores. Being now on another peninsula between the Hackensack and Passaic Rivers, Washington, to avoid being hemmed in, after a short delay moved beyond the Passaic into the Jerseys. At the same time he forwarded a letter to General Lee, at Northcastle, requesting him to join him on the march.

With his feeble army of about three thousand men, half clothed, many badly armed, without cavalry, and debilitated by fatigue, Washington retreated through Newark on the 22d, and on the 28th arrived at Brunswick, where he formed a junction with the troops of Lord Stirling. He was closely pursued by eight thousand troops under the command of Lord Cornwallis, whose line of march was marked with devastation and ruin. The American army lingered at Brunswick, until the 1st of December, in the hope of being reinforced, but failing in this, it crossed the Raritan to Princeton. Leaving Major Gist's Maryland regulars which were now reduced to one hundred and ninety effective men, with Lord Stirling's and General Adam Stephens' brigades to cover the retreat, Washington again resumed his march, and on the 2d of December reached Trenton. Having removed his baggage and stores across the Delaware, and having been reinforced by about fifteen hundred Maryland, Delaware and Pennsylvania troops,[1] Washington retraced his steps, but finding Stirling retreating before a vastly superior force, he returned with his whole army to Trenton, and at that place, on the 8th of December, crossed the Delaware.[2]

The situation of the American army was at this time deplorable, and the troops reduced to a mere handful. The spirit of disaffection was prevalent, and to aggravate the misfortunes of Washington, General Lee, by his own perverse rashness, was, on the 13th of December, captured and carried off, with every mark of indignity, by a party of British dragoons under Colonel Harcourt. "In a word," said Washington, in his extreme despondency, writing to his brother on the 18th of December, "if every nerve is not strained to recruit the new army with all possible expedition, *the game is nearly up.*"

In the midst of this gloom and despondency congress was seized with a panic. On the 12th of December, after resolving "that, until congress shall

[1] *American Archives*, 5th series, iii., p. 852.

[2] General Wayne writes, at this time, from Ticonderoga, to Gates: "My heart bleeds for poor Washington. Had he but Southern troops, he would not be necessitated so often to fly before an enemy, who, I fear, has lately had but too much reason to hold us cheap."—Hamilton's *History of the Republic*, i., p. 156.

otherwise order, General Washington be posessed of full power to order and direct all things relative to the department and to the operations of war," and appointing Robert Morris, George Clymer and George Walton a committee to remain in Philadelphia with full power to transact all continental business requiring attention in that city, they adjourned to meet at Baltimore on the 20th. At the same time, General Putnam was placed in the command of Philadelphia, with orders to defend it to the utmost extremity.

Congress convened in Baltimore at the time appointed, and notwithstanding there was a spirit of hostility silently working among the members against the commander-in-chief, in consequence of the alarming state of affairs, by a resolution passed December 27, they invested him with dictatorial powers for six months, authorizing him to raise and officer sixteen additional battalions of infantry, three thousand light horse, three regiments of artillery and a corps of engineers; to form magazines, displace or appoint any officer under a brigadier-general; take necessary supplies by force, arrest and confine disaffected persons, etc. A copy of these resolutions was sent to each of the States.

While Maryland was giving all the assistance in her power to the common cause, she was exposed to the depredations of the enemy, who were burning houses, robbing plantations, and distressing the people in the vicinity of the Chesapeake and its tributaries. Lord Dunmore, who had collected a considerable naval force, principally of negroes, whom he had seduced from their masters by the hopes of freedom and plunder, carried on a predatory warfare upon the coast, which compelled the State to keep a large force under arms, and greatly harrassed and distressed the people.[1] In July, about three hundred of the enemy in armed galleys, under the command of Lord Dunmore, took possession of St. George's Island, opposite the mouth of St. George's River, in St. Mary's County, and in an engagement with Captain Beall's company of militia, he was wounded by a rifle ball in the shoulder, while a midshipman on the *Roebuck* was killed. In consequence of this invasion of the State, the Council of Safety countermanded the orders given to the companies of Captains Thomas Hindman and Forrest to march to Philadelphia, and immediately ordered into service Colonel Hawkins' battalion of militia. Lord Dunmore's fleet, amounting to about forty sail, was anchored in the mouth of St. Mary's River. In July, Colonel James Kent was appointed to the command of the *Defence*, but he declined, and on the

[1] In July, the militia on the Eastern Shore were stationed as follows: Captains Thomas Barnes', Jr., Thomas Elliott's, Dean's and Goldsborough's companies on Kent Island; Major Fallen's battalion, in Hooper's Straits, where he captured a small schooner belonging to the enemy; Colonel Richardson's battalion at Cambridge; Colonel's Fiddiman's and Ennall's battalions at Cooke's Point, under the command of Lieutenant-Colonel Stainton; Captains Robson's and Stephen Woolford's companies at Taylor's and James' Islands; Captain Keene's company at Meekin's Neck; Captain Travers' company at Hooper's Island; Captain Wheatley's on Ascom's Island; Lieutenant-Colonel John Ennalls at Hunger River; Colonel Murray and Major Fallen at Hooper's Straits; Colonel Dashiell's and Colonel Hayward's battalions at Nanticoke Point, Dammed Quarter and Anamessex. Brigadier-Gen'l Henry Hooper in command of the whole.

12th of September, Captain George Cook, who had served in the English navy for seven years, was appointed in his place. On the 26th of July, Captain Nicholson, of the *Defence*, together with Major Thomas Price, fitted out an expedition to drive off the enemy from St. George's Island, which proved unsuccessful. Major Price, however, placed a battery on Cherryfield Point, and drove the sloop-of-war *Fowey* out of St. George's River. Early in August the enemy hastily abandoned the island, leaving several galleys and some stores behind.

In pursuance of the resolutions adopted by the late convention, elections were held throughout the State, on the 1st of August, 1776, for delegates to a new convention, to form a Constitution and Bill of Rights. The new convention assembled at Annapolis on the 14th of August, and organized by the election of Matthew Tilghman as president.

It appears from the proceedings, that the inhabitants of Prince George's County agreed that every taxable freeman bearing arms, should have the right to vote for delegates, and the judges at the time of election permitted such to vote. The convention thought differently, however, and upon the presentation of the credentials of that county, they were rejected, and a new election was ordered under the resolution adopted by the last convention, requiring a property qualification. The new election was held, and those elected according to the resolution were permitted to take their seats. In Kent County, those who did not have the necessary property qualification prevented the election; so the convention ordered a new election, and pledged itself to support the judges in their office. The election was held; and the proper members were returned. A new election was also ordered in the lower district of Frederick County.

Before proceeding with the business for which the convention was called, the convention took into consideration the resolutions of congress, declaring the United Colonies free and independent States, and thereupon, on the 17th, "Resolved, unanimously, That this convention will maintain the freedom and independency of the United States with their lives and fortunes." On motion of Mr. Samuel Chase, they resolved to appoint committees "to prepare a declaration and charter of rights, and a plan of government agreeable to such rights as will best maintain peace and good order, and most effectually secure happiness and liberty to the people of this State." They then proceeded to ballot, and Mr. Tilghman, the president; Charles Carroll, barrister; William Paca, Charles Carroll, of Carrollton, George Plater, Samuel Chase and Robert Goldsborough, seven of the ablest and most distinguished patriots of the country, were chosen. On the 30th of August, Mr. Thomas Johnson and Robert T. Hooe were added to the committee.[1] On the 27th of August, the

[1] These two distinguished gentlemen were appointed on the committee, in consequence of the resignation of Charles Carroll, Barrister, and Samuel Chase, two of the original members. On the 27th of August, they, together with Mr. Brice T. B. Worthington, informed the convention that, in consequence of receiving instructions from eight hundred and eighty-five of their constituents, "enjoining them, in framing of a government for this State, implicitly to adhere

committee reported "a declaration and charter of rights which was read and ordered to be printed, for the consideration of the members," and on the 10th of September, they reported "a constitution and form of government which was read and laid over." On the 17th, they were ordered to be printed and distributed among the people, for their consideration; and to enable the delegates to ascertain the sentiments of their constituents thereupon, before they proceeded to act upon it, the convention adjourned until the 30th of the month.

Before they adjourned, however, on the 23d of August, they appointed John Hall, Judge of the Court of Admiralty, in place of William Hayward, resigned. Mr. Hall declined, when John Rogers was elected. On the 6th of September, the convention divided Frederick County, and erected out of parts of it the new counties of Washington and Montgomery; the former named after the commander-in-chief of the army, and the latter after General Richard Montgomery, who was killed in the attack on Quebec.[1]

After ordering the four independent companies to join Colonel Smallwood at Elizabeth Town, New Jersey, and supplying them with ample supplies for their march, they elected Captain Rezin Beall, brigadier-general of the militia of the State, in place of General John Dent, who had resigned. In consequence of the continued scarcity of arms and ammunition, the Committee of Safety were directed to import "at the risk of the State, as speedily as possible, blankets, and other coarse woolens and linens proper for soldiers' clothing, duck proper for tents, tin for camp kettles, medicine, and other necessaries for supplying the troops raised or to be raised by this State, and a quantity of said duck, to the amount in the whole of twenty-five thousand pounds current money; five thousand stand of arms, five thousand good gun-locks, six brass field-pieces, (four-pounders,) four six and four eight-inch howitzers, twenty tons powder, and forty tons of lead. That for this purpose they export at the risk of this State, tobacco, wheat, flour or other commodities of the growth thereof, and draw on either of the treasurers to defray the expense thereof for any sum not exceeding sixty-five thousand pounds current money."

To reimburse the State for a part of the expenses incurred in the common cause, the president of the convention was authorized to apply to congress for the sum of £10,000. In his letter to the president of congress, Mr. Tilghman remarks:

to points, in their opinion, incompatible with good government and the public peace and happiness, were obliged, extremely against their inclinations, to resign." In their address "To the Electors of Anne Arundel County," they say: "As your delegates, we esteem ourselves bound by your instructions, though ever so contrary to our opinions. We conceive several of your last instructions, if carried into execution, destructive of a free government. We are reduced to this alternative: We must either endeavor to establish a government without a proper security for liberty or property, or surrender the trust we have received from you."—*American Archives*, 5th series, i., pp. 1054-5.

A new election was ordered on the 4th of September, when Messrs. S. Chase, Brice T. B. Worthington and John Hall were chosen.

[1] The first commissioners for Washington county were: Joseph Sprigg, Joseph Smith, John Barnes, Andrew Rench, Daniel Hughes, William Yates and Conrad Hogmire; those for Montgomery: Nathan Magruder, John Murdock, Henry Griffith, Thomas Cramphin, Jr., Zadock Magruder, Allen Bowie and John Wilson.

"I have it in command from the Convention to apply to Congress through you for the sum of £10,000 on account of disbursements by this colony for their quota of the Flying Camp, and other expenses incurred on account of the continent, which already amounts to nearly fifteen thousand. It is hoped that Congress will not hesitate to comply with this request, when it is considered that this colony have exerted in the present most critical situation their utmost force in the common defence, having not only ordered the whole of their regular troops to march, but have also directed their Council of Safety to order our full quota of militia for the Flying Camp, now nearly ready, and waiting only for arms to repair immediately to the Jerseys." [1]

During the recess of the convention on the 13th of September, the Secret Committee of Congress, requiring some military stores, addressed a letter to the Maryland Council of Safety. In their reply dated the 25th, they remark:

"We have ordered our Commissary of Stores at Baltimore Town to deliver one ton of powder to Messrs. Lux, Purviance and Stewart, for proving the cannon intended for the frigate; and the further quantity that you desire for the use of her shall be supplied when she is ready, should it not in the meantime be convenient for you to send it from Philadelphia. It is true that we have a considerable quantity of powder at Baltimore Town; but as we have and are equipping sixteen armed vessels of one sort or other, we shall, in all probability, have use for all the powder we have by us, and indeed more.

"Upon all occasions we have furnished the honorable Congress and our neighbors with whatever has been requested of us; and we wish the same measure had been dealt out to us; if it had, we should not have been denied fourteen pieces of canvass, which we were in the greatest want of, to complete the sails for some armed vessels that we were fitting out; and for want of it, we have been obliged to substitute osnaburgs. Had we christened our own child first, we could not have let Congress and our friends of Virginia have had two hundred and forty pieces sail-duck, nor get the cannon, muskets, &c., that we supplied for the *Hornet* and *Wasp*.

"You will be pleased to excuse our reminding your Board of these things, for we are exceedingly hurt by its refusing us so trifling a quantity of canvass, at a time when we were informed that not less than two thousand bolts were imported to Philadelphia by Congress in one vessel." [2]

At this time Maryland's naval force displayed considerable activity; a large number of privateers were fitted out to prey upon British commerce, while the State boats under Captain Cook were keeping the bay clear of marauding parties of the enemy.

In July an expedition was fitted out to drive Lord Dunmore from his naval station on Gwynn's Island, in the Chesapeake, where he had lingered from the 24th of May in the constant hope of assistance. His fleet lay between the island and the main land within range of two small batteries, one of two eighteen pounders and the other of four nine pounders, which were erected. The two eighteen pounders played on their ships, striking Lord Dunmore's nearly every time, and did such execution that his men refused to stand to their guns. He was obliged to cut his cable and trust to the tide to drift him out of range, as there was not a breath of air stirring. Of the tenders, two were burnt and two more captured. The four nine-pounders silenced the enemy's batteries, racked their camp, and threw them into the greatest

[1] *American Archives*, 5th series, i., p. 1024. [2] *American Archives*, 5th series, iii., p. 510.

confusion, during which the militia, as soon as boats could be procured, passed over. The enemy, however, did not wait for their coming, but hastily abandoned it, leaving a quantity of stores and one gun which fell into our hands.

On the 24th of September, Captain George Cooke, in command of the State ship *Defence*, sailed from Annapolis on a cruise along the southern coast of the Atlantic. On the 4th of October, while at sea he captured a snow, bound from the Bay of Honduras to Cork, loaded with mahogany and logwood. Placing Captain Brown on her as prize-master, he sent her safely into Baltimore. On the same day he took a sloop bound from St. Augustine to London, with no cargo but a little indigo, and she was brought safely into port by prize-master Walker. About the same time the privateers *Harlequin*, of Baltimore, and the *General Greene*, of East Greenwich, captured at sea a Jamaica ship of three hundred and ten tons, and sent her into port. Her cargo consisted of three hundred and twelve hogsheads of sugar, eighty-two puncheons of rum, thirty-six pipes and four hogsheads Madeira wine, eighteen hundred pounds weight of copper, and a large quantity of other valuable stores.[1] On the 30th of October, Captain Cooke, while on his cruise in the *Defence*, captured a small schooner from Dominica, bound to Newfoundland. She had on board forty hogsheads of rum, three hogsheads sugar, one hundred weight of coffee, a few barrels limes, etc. After making a number of important captures, he was compelled to return to port, and arrived at Baltimore about the 1st of December.

In the meantime, quite a number of other vessels arrived in the State, bringing valuable cargoes. In November, Captain John Martin, brought in the brig *Friendship*, from Martinique, mounting ten carriage guns and forty men, belonging to the State, with a very valuable cargo, consisting of three thousand two hundred weight of gunpowder, two tierces of gun-flints, four hundred and ten bushels of salt, a large quantity of osnaburgs, blankets and a considerable quantity of saltpetre, brimstone, sailors' jackets, etc., likewise drugs and medicines. A number of French gentlemen came as passengers. About the same time, Captain Thomas Conway, in the schooner *Molly*, brought into the Great Wicomico, for this State, a large cargo of arms and ammunition. The State also sent out a number of vessels loaded with flour, wheat, corn, tobacco and coarse woolens to the West India Islands for return cargoes of military stores. The tender *Resolution*, under command of Captain John Carey, made a successful cruise to Martinique and brought back a valuable cargo.

The convention re-assembled on the 2d of October, but in consequence of the pressure of more important matters, the consideration of the Bill of Rights and Constitution was postponed from day to day, until these could be disposed of.

[1] *American Archives*, 5th series, ii., p. 560.

Congress had heretofore relied on the militia of the States for defence, but finding them ineffectual, at the earnest solicitation of Washington, they at last, on the 16th of September, resolved, that eighty-eight battalions be enlisted as soon as possible, to serve during the war. To encourage enlistments, a bounty of twenty dollars and one hundred acres of land was offered to each non-commissioned officer and soldier. The commissioned officers were also to receive bounties of land in the following proportions: to a colonel, 500 acres; lieutenant-colonel, 450 acres; major, 400; captain, 300; lieutenant, 200, and ensign, 150. "Such lands to be provided by the United States, and whatever expense shall be necessary to procure such land, the said expense shall be paid and borne by the States, in the same proportion as the other expenses of the war."[1] Eight battalions were assigned to Maryland as her quota. The States to appoint all officers as high as colonels, and to provide equipments; the expense of clothing to be deducted, as usual, from the soldier's pay. All officers above the rank of colonel were to be commissioned by congress.

A circular letter, dated September 24th, was addressed by President Hancock to the convention, requesting their speedy attention to the new arrangement, and strenuous efforts to fill up their new quota. On the receipt of these communications, the convention referred them to a committee composed of Messrs. S. Chase, William Paca, J. Hall, Charles Carroll, of Carrollton, George Plater, William Fitzhugh, Gustavus Scott and Thomas Johnson, who took the matter into consideration, and in due time reported to the convention. On the 9th of October that body

"*Resolved*, That the eight battalions required by congress to be raised by this State, exceed its just quota, being, as they presume, founded on a calculation of white and black inhabitants, of both sexes and of all ages, whereas the quotas of men to be raised by the several States, ought to be in proportion to the number of white inhabitants only in each State respectively.

"That this State ought not to comply with the proposed terms of granting lands to the officers and soldiers, because there are no lands belonging solely and exclusively to this State; the purchase of lands might eventually involve this State in an expense exceeding its abilities, and an engagement by this State to defray the expense of purchasing land, according to its number of souls, would be unequal and unjust.

"That this State, desirous of exerting the most strenuous efforts to support the liberties and independence of the United States, will, therefore, use its utmost endeavors to raise the eight battalions required (including the troops already raised and in the service of the United States) as soon as possible.

"That for this purpose this State will give a bounty of ten dollars to each non-commissioned officer and soldier who will enlist in the service of the United States for the war, in lieu of the hundred acres of land offered them by congress."

The convention appointed James Lloyd Chamberlain, Benjamin Rumsey, Thomas Contee and John Hanson, Jr., commissioners to proceed to the camps of the Maryland troops, to reorganize those already in service upon the new footing, and to induce as many as possible to enlist for the war. The

[1] *Journals of Congress.*

commissioners were furnished with blank commissions, sent by congress, and were directed to act under the advice of Washington, in appointing the officers of the new battalions.

Having thus disposed of the military affairs of the State, it next proceeded to take into consideration a clause of the Virginia constitution, which was adopted in June, 1776. Virginia declared:

"The territories contained within the charters erecting the colonies of Maryland, Pennsylvania, North and South Carolina, are hereby ceded, released, and forever confirmed to the people of those colonies respectively, with all the rights of property, jurisdiction and government, and all other rights whatsoever, which might at any time hereafter have been claimed by Virginia, except the free navigation and use of the rivers Potowmac and Pocomoke, with the property of the Virginia shores or strands, bordering on either of the said rivers, and all improvements which have been or shall be made thereon. The western and northern extent of Virginia shall in all other respects stand as fixed by the charter of king James the first, in the year one thousand six hundred and nine, and by the public treaty of peace between the courts of Great Britain and France in the year of one thousand seven hundred and sixty-three; unless, by an act of legislature, one or more territories shall hereafter be laid off, and governments established westward of the Alleghany mountains. And no purchase of lands shall be made of the Indian natives, but on behalf of the public, by authority of the general assembly."

This section of the Virginia constitution was not well received by the Convention of Maryland, especially that portion in which Virginia laid claim to all that vast region of valuable territory lying westward of the Ohio River. And her action in the matter was the first move by any State, towards the assertion that these back lands were the common property of the thirteen United Colonies.

In the following resolutions which were adopted by the convention on the 30th of October, Maryland asserts in the broadest terms the common right and jurisdiction over the western lands:

"*Resolved, unanimously*, That it is the opinion of this convention, that the State of Virginia hath not any right or title to any of the territory, bays, rivers, or waters, included in the charter granted by his majesty Charles the first to Cæcilius Calvert, baron of Baltimore.

"*Resolved, unanimously*, That it is the opinion of this convention, that the sole and exclusive jurisdiction over the territory, bays, rivers and waters, included in the said charter, belongs to this State; and that the river Potowmack, and almost the whole of the river Pocomoke, being comprehended in the said charter, the sole and exclusive jurisdiction over the said river Potowmack, and also over such part of the river Pocomoke as is comprehended in the said charter, belongs to this State; and that the river Potowmack and that part of Chesapeake bay which lies between the capes and the south boundary of this State, and so much thereof as is necessary to the navigation of the rivers, Potowmack and Pocomoke, ought to be considered as a common high-way, free for the people of both States, without being subject to any duty, burthens or charge, as hath been heretofore accustomed.

"*Resolved, unanimously*, That it is the opinion of this convention, that the very extensive claim of the State of Virginia to the back lands hath no foundation in justice, and that if the same or any like claim is admitted, the freedom of the smaller States and the

liberties of America may be thereby greatly endangered; this convention being firmly persuaded, that if the dominion over those lands should be established by the blood and treasure of the United States, such lands ought to be considered as a common stock, to be parcelled out at proper times into convenient, free and independent governments."

These resolutions were presented in congress on the 23d of October, and referred to a committee composed of Messrs. Wilson, Paine and Rutledge. On the 30th, they made a report which congress considered, and thereupon

"*Resolved*, That the President write to the convention of Maryland and inform them that their resolutions relative to their paying ten dollars in lieu of the 100 acres of land, determined by Congress to be given to such non-commissioned officers and soldiers as shall enlist to serve during the war, will, in the opinion of this House, if carried into execution, prove extremely detrimental to these States, as it will, in all probability, induce such soldiers as are to compose the remainder of the levies, to require an equal sum from the United States, and by refusing to enlist until their demands shall be complied with, compel the congress to the immediate payment of an additional bounty, far beyond what is reasonable.

"That this House, being satisfied with the propriety of offering land to the soldiery, as an inducement to enlist in the services, cannot rescind the said resolution, and are of opinion that the faith which this House has plighted must be obligatory upon their constituents; that no one State can, by its own act, be released therefrom, and that the interest of the United States would be deeply and injuriously affected, should the congress, at this time, consent to a compromise between any State and the forces to be by them raised.

"That the said Convention, by their said resolutions, seem to apprehend, that their State would be obliged, in their individual capacity, to make good the bounty of land hereafter to be given to the soldiery; whereas, it was the intention of Congress to provide the said land at the expense of the United States.

"That the said Convention be requested to reconsider the said resolutions, and give to their commissioners, appointed to repair to the camp, such instructions as will enable them to carry into execution the views of Congress: That the said Convention be informed that the Paymaster General has been furnished with a sum of money for the purpose of paying the bounty of $20, ordered by Congress to such soldiers as shall enlist to serve the United States during the war."

President Hancock, on the 4th of November, enclosed these resolutions to the convention, accompanied with a letter from him, whereupon, the convention, on the 9th of November

"*Resolved*, That if the honourable congress will specify any land belonging to the United States as a common stock to be divided amongst the soldiery in their service, the commissioners appointed by this convention to repair to the camps in New York and the Jerseys, immediately on its being made known to them proceed to the camps, and endeavor to enlist such of the troops and militia of this State now there, as are willing to enter into the continental service on the terms proposed by congress: or if the congress will not make such specification of the lands to be given as aforesaid, and will permit the enlistment of the quota of troops of this State on the terms proposed by this convention, that then the commissioners proceed to the camps and endeavour to procure the enlistment of the troops according to the former resolutions of this convention, paying to each non-commissioned officer and private who shall enlist, the twenty dollars bounty allowed by congress, and the additional bounty of ten dollars proposed by the said resolutions of convention to be allowed by this State. But if the honourable congress will not specify

the lands as aforesaid, and should signify a desire that the said additional bounty of ten dollars should not be given, that then the commissioners, with the permission of congress, proceed as aforesaid and endeavour to effect the said enlistment on the bounty of twenty dollars allowed by congress; but they are not to engage the faith of this State to give or make good any bounty of lands, or to give any assurance whatsoever that they will have such bounty.

"*Resolved*, That Mr. President write to the congress, and inform them that this convention feel themselves very unhappy that there should have been any, the least difference of opinion between them; and, as desired, have reconsidered their former resolutions, for raising the quota of troops of this State, and on a very deliberate and attentive consideration the subject, have come to the resolutions of this day, which the president is requested to enclose.

"That this convention never apprehended that the congress intended this State should be obliged, in its individual capacity, to make good the bounty of lands to the soldiery, but were of opinion and remain firmly persuaded, that if the bounty in land should, by authority of this State, be proposed as a motive to induce the individuals of its quota to enlist, this State will be bound, in good faith, to see that bounty effectually granted; and, therefore, as this State has no lands belonging solely and exclusively to itself, with which to make good the bounty, it is not only prudent, but necessary, before they do an act which will engage the faith of the State, to know what land is to be applied, and on what terms, to the designed purpose.

"That this convention are under the strongest inpressions that the back lands claimed by the British crown, if secured by the blood and treasure of all, ought, in reason, justice, and policy, to be considered as a common stock, to be parcelled out by congress into free, convenient and independent governments, as the wisdom of that body shall hereafter direct; but if these (the only lands as this convention apprehend that can) should be provided by congress at the expense of the United States to make good the proffered bounties every idea of their being a common stock must be thereby given up; some of the States may, by fixing their own price on the land, pay off what of their quota of the public debt they please, and have their extensive territory settled by the soldiery of the other States, whilst this State and a few others must be so weakened and impoverished, that they can hold their liberties only at the will of their powerful neighbors.

"That this State is so far from having an intention to increase unnecessarily the expense of the United States, that it hath uniformly given every evidence to the contrary; but this convention impressed with the indispensable necessity of establishing and keeping up a good army, at the same time that they could not be active in giving up a common right of the United States, or in rendering the freedom of their own precarious, determined to exert the only safe means in their power to raise the quota of this State, nor can this convention yet see any possibility of injury to the common interest, from this State adopting the most effectual means to raise its own quota of troops of its own inhabitants partly, or even wholly, at its separate expense.

"That this convention have a strong disinclination to go into any discussion of the powers with which the congress is invested, being fully sensible that the general interest will not be promoted by either the congress affirming, or this convention denying the existence of a fulness of power in that honourable body; the best and only proper exercise of which can be in adopting the wisest measures for equally securing the rights and liberties of each of the United States, which was the principle of their union.

"That this convention very sincerely disposed to contribute everything in their power towards the common cause, will, if the congress choose neither to specify the lands to be given in bounties, nor to permit this State to give the proposed additional bounty of ten dollars, endeavor to enlist its quota of troops on the twenty dollars bounty allowed by congress, but if the event should prove a disappointment, it cannot be imputed to this State.

"That this convention request the honorable congress soon to signify their pleasure in this matter to the commissioners from this State now attending in Philadelphia, that the little time left may not be lost."

In obedience to the order of the convention, Mr. Tilghman, on the 10th of November, forwarded these resolutions to congress, at the same time expressing the opinion that the convention was "exceedingly unhappy to find that there should have been any the least difference of opinion between them."

Congress received the resolutions on the 13th, and desired that they should be read, after which they

"*Ordered*, That the President furnish the commissioners of the said State, sent therefrom to raise their levies to enlist for three years only, and at the same time, inform them that if the inhabitants of that State will enlist to serve during the continuance of the present war, they already have the faith of the United States of America pledged for the land to be granted to such soldiers."

The convention having adjourned, John Hancock forwarded this order to the Council of Safety, accompanied with a letter in which he remarked, "that if the inhabitants of the State of Maryland will enlist to serve during the continuance of the present war, they already have the faith of the United States pledged for the land to be granted to such soldiers."

On the 21st of November, Samuel Chase, who was then in congress, addressed a letter to the Council of Safety upon this important subject, in which he remarks, "I have seen your opinion to our commissioners that they should proceed and enlist our troops for three years. I am apprehensive you do not see the opinions and objects of congress in its fullest extent. The congress will agree that Maryland may raise her troops for three years, but have declared and now hold our State bound to contribute her proportion of the expense attending the procuring of lands for the officers and soldiers furnished by other States for the war. We have proposed and urged on congress, that the question as to the procuring of lands at the expense of the United States, and our claim that the back lands acquired from the crown of Great Britain in the present war should be a common stock for the benefit of the United States, should remain open for the determination of some future congress."

A few days after this on the 24th of November, Benjamin Rumsey, another of Maryland's representatives in congress, addressed a letter to Hon. Daniel of St. Thomas Jenifer, in which he remarks:

"Our convention had certainly two capital objects in view, as the Congress had engaged the faith of the United States to furnish the soldiery with the bounty of lands, which they were to purchase, it followed by implication that the United States had none belonging to them in common, but must purchase of particular States who claimed a monopoly in them, and of course might ruin those States who had none. Her view then was to have those lands declared a common stock as being purchased (if ever purchased) by the joint blood and treasure of the Confederacy, or find no land to her ruin.

"The first satisfaction she received on this head was that she might enlist for three years and give the $20 bounty, but must give the soldiers the alternative to enlist during the war on the first conditions—opening two rolls for the purpose.

"This not pleasing, they resolve again that the commissioners may proceed to enlist for three years upon one roll alone—keeping it always in view that it was better to enlist during the war, if it did not retard the service.

"This resolution keeping up the first bone of contention—the land—and by implication that the States had none, still not answering expectation, congress further resolved, that any resolutions that had passed should neither operate to weaken or strengthen the claim of the United States or any of them to any back land, by which this point, that has given such uneasiness in our province, will be saved, and will be discussed hereafter in our future confederacy.

"The second point they had in view was the point of taxation, which they thought unequal, being rated on slaves as whites. This has been expressly named as the mode as to $6,000,000. As to $14,000,000 more the same declaration is made as in the article of land, that the proportion of sinking it shall be adjusted hereafter on each State, and that nothing heretofore done shall strengthen or weaken such inquiry or question.

"Our Province having in some measure obtained a satisfaction on these two heads, nothing now remains but to consider whether the Convention having impowered us to proceed and enlist for and during the war on the $20, we can go on the terms of three years, and the same bounty being for a less term. Under this point we are pretty generally agreed to depart from the letter to preserve the spirit."

Here we note the first appearance of a question, which afterwards became of momentous consequence. The original charters of Virginia, Massachusetts, Connecticut and New York,[1] included immense and ill-defined tracts of territory, conferred when the geographical knowledge of the country was most imperfect, and in no sense brought within the control of those colonies. It was a nice question how far subsequent revocations of charters, and the peace of Paris, had transferred the right of possession to the crown again, in which case these lands were liable to seizure, as crown property, not by the individual colonies, but by all conjointly. But Maryland neither entered into these subtleties, nor was her action founded upon any speculations as to the future expansion of that confederation whose very existence was then trembling in the balance. It was to meet the urgent demands of the hour that she acted; and her action was founded upon the simplest grounds of necessity and justice, as clearly stated by the convention. This subject will be further treated when we come to the formation of the confederation.

While discussing this subject, the convention was not unmindful of the purposes for which it had been assembled. On the first day of their reassembling, the Declaration of Rights and the Constitution and form of government were taken up, and freely discussed from day to day, both in and out of the convention, by the members, the people and the press. After revision and amendment, on the third of November, the Bill of Rights was adopted, and on the eighth, the constitution having been discussed, paragraph by paragraph, was also agreed to.[1]

[1] The form of government thus established was looked upon by all the early statesmen and historians as one of singular excellence. The Constitution of the Senate was especially the theme of admiration. Of it Dr. Ramsey remarks: "Ten of the eleven States, whose Legislatures consisted of two branches, ordained that the members of both should be elected by the people. This rather made two co-ordinate Houses of Representatives, than a check on a single one by the moderation of a select few. Maryland adopted a singular plan for consti-

The convention having adopted the Declaration of Rights and Constitution on the 10th of November, took into consideration the letter from the president of congress of the 2d of October, in which he requested the convention to cause as speedily as possible a full representation of the State in congress. They thereupon

"*Resolved*, That the honorable Matthew Tilghman, Esq., and Thomas Johnson, junr., William Paca, Thomas Stone, Samuel Chase, Benjamin Rumsey and Charles Carroll, barrister, Esquires, or any three or more of them, be delegates to represent this State in congress until the first day of March next, or until the general assembly shall make further order therein; and that the said delegates, or any three or more of them, be authorized and empowered to concur with the other United States, or a majority of them, in forming a confederation, and in making foreign alliances, provided that such confederation, when formed, be not binding upon this State without the assent of the general assembly; and the said delegates, or any three or more of them, are also authorised and empowered to concur in any measures which may be resolved on by congress for carrying on the war with Great Britain, and securing the liberties of the United States, reserving always to this State the sole and exclusive right of regulating the internal police thereof.

"And the said delegates, or any three or more of them, are hereby authorised and empowered, notwithstanding any measures heretofore taken, to concur with the congress, or a majority of them, in accommodating our unhappy differences with Great Britain, on such terms as the congress, or a majority of them, shall think proper." [1]

tuting an independent Senate. By her constitution, the members of that body were elected for five years, whilst the members of the House of Delegates held their seats only for one. The number of senators was only fifteen, and they were elected indiscriminately from the inhabitants of any part of the State, excepting that nine of them were to be residents on the west, and six on the east side of the Chesapeake Bay. They were elected, not immediately by the people, but by electors—two from each county, appointed by the inhabitants for that sole purpose. By these regulations, the Senate of Maryland consisted of men of influence, integrity and abilities, and such as were a real and beneficial check on the hasty proceedings of a more numerous branch of popular representatives. The laws of the State were well digested, and its interests steadily pursued with a peculiar unity of system; while elsewhere, it too often happened in the fluctuation of public assemblies, and where the legislative department was not sufficiently checked, that passion and party predominated over principle and public good."

A similar eulogium will be found in the third number of the *Federalist*, in which Mr. Hamilton, after contrasting its organization with that of the Senate of the United States, remarks: "If the Federal Senate, therefore, really contained the danger which has been so loudly proclaimed, some symptoms at least of a like danger ought by this time to have been betrayed by the Senate of Maryland; but no such symptoms have appeared. On the contrary, the jealousies at first entertained by men of the same description with those who view with terror the correspondent part of the Federal Constitution, have been gradually extinguished by the progress of the experiment; and the Maryland Constitution is daily deriving, from the salutary operation of this part of it, a reputation in which it will probably not be rivalled by that of any State in the Union."

[1] The powers delegated to the representatives of Maryland in Congress seem to have caused some uneasiness; as Samuel Chase, on the 23d of November, writes to the Council of Safety: "Many of the Congress, some true friends, are uneasy at the powers to the delegates of Maryland—they are apprehensive if made known they will reach Lord Howe, and encourage him, and if the courts of Europe should see them, it would prevent a foreign alliance. Some reasons are given to countenance this opinion. I do not see why they should not be published in the *Journal*, the powers relate to peace and war, and can be of no service to the public. I wish you would consider this subject." In a masterly review of "Mr. Bancroft as a Historian," the Hon. S. Teackle Wallis, of Baltimore, observes: "Mr. Bancroft seems to have dedicated himself, with particular solicitude, to the falsification of her [Maryland's] historical record. In one place (p. 170, vol. ix.), he sneers at her convention for 'chiming in with the timidity of Lee.' In another (p. 392), he speaks of 'the slaveholders on the Eastern Shore' as 'disaffected.' Yet again (pp. 170-199), he charges the whole State with a weak readiness 'to renounce the Declaration of the 4th of July for the sake of an accommodation with Great Britain,' and alleges that the convention so

After appointing John Hall, George Plater, Daniel of Saint Thomas Jenifer, Brice Thomas Beale Worthington, Charles Grahame, Joseph Nicholson, Nicholas Thomas, William Rumsey and James Tilghman a committee of safety, the convention, on the 11th of November, adjourned.

Under the new Constitution, the legislative power of the State was vested in two distinct and co-ordinate legislative bodies, which were respectively styled *The Senate* and *House of Delegates*. The legislature, thus composed, was styled *The General Assembly of Maryland*. The governor, who was the supreme executive of the State, had no control over the legislature in the making of laws, and had no veto power. In his ministerial position he was required to affix the Great Seal of the State to all laws enacted, but at the same time it was not necessary to give them efficacy. The elective franchise was limited to those who were twenty-one years of age, who possessed a freehold of fifty acres of land in the county in which they resided and offered to vote, or property within the State of the value of thirty pounds current money, and who had been residents of the State for one year prior to the day of election.

It will be observed that, under the charter, the legislative power was to be exercised by the proprietary, "by and with the advice, assent and approbation of the freemen, or of the delegates or deputies," the right being reserved to him of selecting the mode in which they should be assembled. The warrants for convening the assemblies issued by the governors, at the foundation of the province, determined whether they should be convened in person or by deputies; or, if by deputies, the number of deputies to which each county should be entitled, and the manner in which these should be elected. From the first assembly of the province until the government passed into the hands of Cromwell's commissioners, there was no settled and uniform mode of convening assemblies. At that time the elective franchise was not highly appreciated; and there are several instances to show that the inconvenience of personal attendance, and the obligation to defray the expense of delegates, occasionally caused it to be considered a grievance.

We find an illustration of this at as late a period as 1671. At the session of that year, a message was sent by the Lower to the Upper House, in which they complained, that several delegates elect had not been summoned to attend, and desired to know the cause of it. To which it was replied by the

'expressly voted in November.' The vote to which he refers was that of the 10th of November, by which the convention, while re-asserting its determination to make war for its liberties, and authorizing the delegates in Congress to join in forming a Confederation and making foreign alliances therefor, nevertheless empowered them 'to concur with the Congress, or a majority of them, in accommodating our unhappy differences with Great Britain, on such terms as the Congress, or a majority of them, shall think proper.' It contained not one word or suggestion of surrender, or timidity, or unmanly compromise; and there is not a shadow of authority anywhere for the intimation or suspicion that the people of Maryland, at any moment of the contest, ever dreamed of surrendering the independence they had declared, upon any other terms than the absolute and guaranteed security to all the colonies, as well as to themselves, of the rights and liberties to protect which they had declared it."—*The Southern Review*, iv., p. 219; July, 1868.

Upper, that all had not been summoned from Kent, Dorset and Somerset, because the sheriffs of those counties, in making their returns, "besought the governor not to charge their poor counties with more delegates than they used to have:" and hence but two delegates had been summoned from each of these counties.

It was, therefore, the disposition of both the proprietary and the people to extend, rather than to abridge the right; and it was not until it was esteemed a privilege, that restrictions were imposed. The first restraint of this franchise was that imposed by the proprietary's ordinance of the 6th of September, 1681, which confined it to all freemen having a freehold of fifty acres, or residents having a visible personal estate of £40, within the county. These qualifications were re-established by law, in 1692, and continued by the successive Acts of 1704, Chapter XXXV., 1708, Chapter V., 1715, Chapter XLII., 1716, Chapter XI., until the beginning of the Revolution; and they were then preserved by the provisional government. By the constitution of 1776, property, age and residence, being the original qualifications, all *free* persons having these, were permitted to vote, without reference to their citizenship or color. These provisions were continued without alteration, until 1802, when the property qualification for voters was entirely abolished, and the elective franchise was placed under new regulations, applicable as well to the elections in Annapolis, as to those in Baltimore City and the counties. These excluded persons of color, and conferred the right of voting *exclusively* upon "free, white persons, citizens of the State, above the age of twenty-one, and having a residence of twelve months next preceding the election in the city or county in which they offered to vote."

In 1810, the constitution was again amended; but all the qualifications prescribed by the amendment of 1802 were preserved, except the necessary residence, which was now reduced to twelve months in the State, and six months in the county or city, and thus remains the qualification of voters to this day as then established.

From the colonization until 1650, the right of representation had no regular character. Sometimes the assemblies had the nature of the "Ecclesia" of the Athenians. They were assemblies of the freemen generally, rather than of representatives. Every freeman had a right to be personally present; and this right being a personal privilege, like that of a member of the English House of Peers, he might either appear in person or by proxy, or join in the election of delegates, at his option. When the assemblies were so constituted, the government was a pure democracy; being administered by the people in person. At other times, the freemen were permitted to appear only by delegates or deputies, elected in the manner prescribed by the warrants of election. The three sessions of 1640, and those of July, 1641 and 1642, were of the latter character; the other sessions were of the former, which was the prevailing character. After the commotions of the civil war had ceased, and the government was restored to the proprietary by Cromwell's commissioners,

viz, from 1659, the assembly consisted only of delegates; and from that period, the right of making proxies or appearing personally, wholy ceased. Yet it was not until 1681, that any restrictions appear to have been imposed upon the people in the choice of delegates. By the proprietary's ordinance of 6th September, 1681, the same qualifications were required for delegates as for voters; and these were kept up, as to both, by the same Acts, until the Revolution.[1]

The qualifications of a member of the House of Delegates included, besides the other requisites of a voter, the possession of an estate of £500 instead of thirty. The time of election was the first Monday of October, in each year; the mode was *viva voce;* the judges of elections in the counties, were the sheriffs; in Annapolis, the municipal authorities; and in Baltimore, its commissioners. The polls might be kept open for four days, and at their closing, the judges transmitted their returns to the Chancellor of the State.

The House of Delegates consisted of eighty members, of whom four were chosen by each of the nineteen counties of the State, and two by each of the cities of Annapolis and Baltimore.

"Until 1650, the delegates were elected for hundreds or settlements; and the warrant for each assembly specified the number to be elected for each hundred. There was no regular delegate system before this period; and perhaps this arose from the existence of the right then generally conceded to the freemen, of appearing in the assembly in person or by proxy. It was not until 1659, when the Lower House was made to consist only of delegates, that its organization became regular. At the session of 1659, four delegates were called from each county; and from this period until 1681, with one exception, the summons permitted the election of two, three or four delegates in each, at the option of its people. In the latter year, the number was reduced to two, by the proprietary's ordinance; but in 1692, after the establishment of the royal government, the constitution of the Lower House was regulated by law, and four delegates were again allotted to each county. The right of representation thus established upon the basis of equality amongst the counties, existed without alteration until the American Revolution."[2]

Frequent and vigorous efforts were made from the adoption of the constitution, to change this system of representation, for one founded on the basis of population; but the shore jealousies operated to defeat such a change. This shore jealousy is strikingly manifested in the convention of 1776 itself. A proposition was made on the 3d of November, to insert an article in the Declaration of Rights, acknowledging the right of either shore to separate from the other, when it should deem it to be for its interest. It was amended to give this right, whenever sanctioned by a majority of voters in every county on the shore desiring to secede; and, in this amended form, it received seventeen votes, all of which, save one, were given by the Eastern Shore delegates.

[1] McMahon, p. 443, etc. [2] *Ibid.*

Out of twenty-one Eastern Shore members voting on this proposition, sixteen were for it, and but five against it; of the twenty-six Western Shore members voting on it, twenty-five were against it, and one for it.[1]

The senate consisted of fifteen members, taken indiscriminately from any part of the State, with the sole restriction that nine of them were to be residents of the west, and six of the east side of the Chesapeake Bay. Their term of office was five years; and they were chosen by an electoral college, composed of two electors from each of the counties, and one from each of the cities of Annapolis and Baltimore. The electors were to have the qualifications necessary for delegates, and were to meet at Annapolis on the third Monday in the September after their election, to proceed to the election of a senate. The qualifications of the senator were that he should be above the age of twenty-five, should have resided in the State for the three years next preceding his election, and should have real or personal property within it, above the value of £1,000.[2]

"A person of wisdom, experience and virtue" should be chosen governor, on the second Monday of November, 1777, and on the second Monday in November in every year thereafter, by the joint ballots of both Houses. He was to be not less than twenty-five years of age, a resident of the State for five years preceding the election, and owning in the State real and personal property over £5,000, current money, £1,000, at least, to be of freehold estate. He was not to continue successively in office longer than three years, and was not re-eligible until four years after leaving office.

The same body was to elect, by joint ballot of both Houses, on the second Tuesday of November, 1777, and annually on the second Tuesday of November, thereafter, "five of the most sensible, discreet and experienced men, above twenty-five years of age, residents in the State above three years preceding their election, and having therein a freehold of lands and tenements above the value of £1,000, current money, to be the council to the governor."

The delegates to congress were chosen annually by the joint ballot of the two houses, so that there should be a rotation of at least two members who were to be changed annually. No person was capable of being a delegate for more than three in any term of six years. He was to be a resident of the State more than five years preceding the election, and possessed of real and personal estate above £1,000, current money. No governor, senator, delegate, or member of council, if he qualify, should hold any other office of profit or trust during that for which he was elected.

There was to be a Court of Appeals, whose judgment should be final and conclusive in all cases of appeal from the General Court. The Provincial Court was thereafter to be known as the General Court, which was to sit on the Western and Eastern Shores for the transaction of business at such times

[1] McMahon, p. 465.

[2] In regard to the choice of United States Senator, see the report prepared by the writer in the Maryland House Journal of 1878.

and places as the legislature should determine. There was also a Court of Chancery and an Admiralty Court.[1] The sheriffs of the several counties were elected by the people, and the clerks of the courts were appointed by the judges. The registers of wills were appointed by the governor with the approval of the senate. Two treasurers, one for the Eastern and one for the Western Shore, were chosen by the legislature; and a register of the land office for each shore was also to be appointed by the governor with the approval of the senate.

In the Declaration of Rights, the convention of 1776 declared "that all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole." They also declared "that the people of this State ought to have the sole and exclusive right of regulating the internal government and police thereof." In this declaration, religion was not forgotten, for they struck away all church supremacy, and left every man to worship God according to the dictates of his own conscience.

"That as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons professing the christian religion are equally entitled to protection in their religious liberty, wherefore no person ought by any law to be molested in his person or estate on account of his religious persuasion or profession, or for his religious practice, unless under color of religion any man shall disturb the good order, peace or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil, or religious rights; nor ought any person to be compelled to frequent or maintain, or contribute, unless on contract, to maintain any particular place of worship, or any particular ministry; yet the legislature may in their discretion lay a general and equal tax for the support of the christian religion, leaving to each individual the power of appointing the payment over of the money collected from him, to the support of any particular place of worship or minister; or for the benefit of the poor of his own denomination, or the poor in general of any particular county;[2] but the churches, chapels, glebes, and all other property now belonging to the Church of England, ought to remain to the Church of England for ever. And all acts of assembly lately passed for collecting monies for building or repairing particular churches or chapels of ease, shall continue in force and be executed, unless the legislature shall by act supersede or repeal the same; but no county court shall assess any quantity of tobacco or sum of money hereafter, on the application of any vestryman, or church wardens; and every incumbent of the church of England who hath remained in his parish and performed his duty shall be entitled to receive the provision and support established by the act entitled, 'An act for the support of the clergy of the Church of England in this province,' till the November court of this present year, to be held for the county in which his parish shall lie, or partly lie, or for such time as he hath remained in his parish and performed his duty."

For introducing the new government, the constitution directed that an election be held for electors of the senate on Monday, the 25th of November, 1776, and that the electors meet at Annapolis on the 9th of December following, and select fifteen persons for the first Senate of Maryland. On Wednesday,

[1] The latter was superseded by the United States Court, upon the adoption of the Federal Constitution.

[2] This permission was taken away by the Act of November, 1809, chapter clxvii., confirmed by 1810, chapter xxiv., which declared "that it shall not be lawful for the General Assembly of this State to lay an equal and general tax, or any other tax, on the people of this State, for the support of any religion."

the 18th of Decemher, 1776, an election was to be held for members of the House of Delegates and sheriffs. The General Assembly was to meet at Annapolis on Monday, the 10th of February, 1777, and elect a governor and council for the residue of the year; and prescribing the manner of filling, in the first instances only, all the offices in the disposition of the governor, with the advice of the council.

At the specified time the elections took place, and on the 5th of February, 1777, five days earlier than the period fixed by the convention, the Council of Safety, by virtue of the power and authority vested in them, caused the first

GOVERNOR THOMAS JOHNSON.

Assembly of Maryland, under the new constitution and form of government, to convene at Annapolis. The disasters to the American army, the hasty removal of congress to Baltimore, and the necessity for prompt action in recruiting the army, no doubt induced the Council of Safety to call the legislature together before the appointed time.

The new government was organized on the 13th of February, by the election of Thomas Johnson as its first governor.[1] Thomas Johnson, the

[1] The vote for Governor was as follows: For Thomas Johnson, Jr., 40; Samuel Chase, 9; Matthew Tilghman, 1; George Plater, 1; William Paca, 1.

illustrious revolutionary patriot of Maryland, was among the first in America to assist the cause of his country against the oppressions of Great Britain, and was early in life honored with the most important and arduous trusts which his countrymen could confer. He was the son of Thomas Johnson and Dorcas Sedgwick, and was born in Calvert County, on the 4th of November, 1732, but for the last forty years of his life was a resident of Frederick County. Having received the rudiments of a common school education at an early age, he was sent to Annapolis to write in the provincial court office. In a short time, he commenced the study of law under the auspices of Mr. Bordley, and after being admitted to the bar he soon arose to the first professional rank in the province. On the commencement of the troubles with Great Britain, he, with others, stepped forward to oppose the unjust demand of the mother country, and never swerved from the path that led to independence. He was a member of the first congress; was a member of every important committee; distinguished for his patriotic speeches, and nominated George Washington to be commander-in-chief of all the armies of the United Colonies. During the month of July, 1776, he was absent from congress, and until the 9th of November following, was serving in the Convention which formed the first constitution of the State. Shortly after the adjournment of congress he was appointed a brigadier-general of the Frederick County militia, which afterwards formed a large part of General Washington's army in the Jerseys. Whilst engaged in the field he was elected, as before stated, the first republican Governor of Maryland, and immediately repaired to Annapolis. He filled the office of that eventful time with a diligence, integrity, and patriotic ability, that have not been excelled by any of his successors. After his gubernatorial term expired he removed to Frederick Town, which he often represented in the House of Delegates, and shortly after his re-eligibility to the Governor's chair he was re-elected, which honor he declined as well as many others that were afterwards tendered him. He was among the most conspicuous advocates in the convention which adopted the constitution of the United States, matching successfully the transcendent talents of Martin, the Chases and Mercer. Upon the decease of Mr. Harrison, chief judge of the General Court, Mr. Johnson was appointed to fill the vacancy, which office he held until he was appointed one of the associate judges of the Supreme Court of the United States. The feeble state of his health obliged him to resign in 1793. On the formation of Washington's cabinet he was invited to accept the position of Secretary of State, but declined. He, however, accepted the appointment of commissioner of the city of Washington, with Dr. Steuart and Mr. Daniel Carroll, in conjunction with whom he laid off the plan and fixed on the sites of the capitol, president's house, and other public buildings. After this, Mr. Johnson lived retired in the bosom of his family, and died at "Rose Hill," the seat of his son-in-law, Mr. John Grahame, in Frederick County, on the 26th of October, 1819. It is said that when John Adams was asked why so many southern men occupied leading positions and possessed great influence

in the Revolution, he replied that, "if it had not been for such men as Richard Henry Lee, Thomas Jefferson, Samuel Chase and Thomas Johnson, there never would have been any revolution."

He married, on the 16th of February, 1766, Ann Jennings, the only daughter of Thomas Jennings, of Annapolis, who died August 26th, 1759, leaving five children. On the 14th of February, 1777, the legislature elected Charles Carroll, Sr., Josiah Polk, Jr., John Rogers, Edward Lloyd and John Contee,[1] as its first executive council.

On Friday, the 21st of March, Thomas Johnson, Jr., was inaugurated at the State House (then usually called "Stadt House,") in Annapolis, in the presence of a great concourse of people, the several branches of government, the civil authorities of the City of Annapolis, the military, and many strangers, the first republican governor of the new State of Maryland. Although the perils of a great war then environed the infant State, whose position peculiarly exposed her to invasion, though she had already borne, and knew she would be called on still to bear her full share—perhaps more than her full share—of the toils, the dangers and the sufferings of the conflict; though the outlook was dark and growing darker, the people of Maryland never wavered in the confidence with which they clung to the cause of liberty; and this installation of a governor, not appointed by the proprietary nor the crown, but elected by the representatives of the people, marking as it did the opening of a new era, was the occasion of rejoicings springing from a deeper source than the mere triumph of a party or the gratification of a popular desire.

The annals of the time report that the procession began at the Assembly House and proceeded in the following order: The high sheriff, the president of the senate, senators, the governor, council, sergeant-at-arms bearing the mace, the speaker of the house of delegates, delegates, mayor of the city and recorder, aldermen, common council, military officers, visiting strangers, citizens.

Silence being commanded, the high sheriff then proclaimed that Thomas Johnson, Jr., was the elected Governor of the State of Maryland. Three volleys were then fired by the soldiery, who were paraded in front of the State House, followed by a salute of thirteen cannon—one for each of the United States—after which the procession returned, the governor and his council taking positions immediately after the high sheriff, the rest of the cortège being in the same order as before.

All then repaired to the coffee-house, where an entertainment was provided, at which the following toasts were drunk: 1. Perpetual union and friendship between the States of America. 2. The freedom and independence of the American States. 3. The prosperity of Maryland. 4. The congress. 5. General Washington and the American army. 6. The American navy. 7. The arts and sciences. 8. Agriculture. 9. Trade and navigation. 10. The friends of liberty throughout the world. 11. The memory of the brave

[1] Owing to the smallpox prevailing in Annapolis at the time, he declined to serve.

patriots who have fallen in the cause of America. 12. General Lee and our friends in captivity. 13. Wisdom and unanimity in the councils of America, and undaunted courage in her forces to execute her measures. The whole concluded with a brilliant ball and illumination in the evening.[1]

Thus was the first formal evidence of the change in Maryland from provincial dependence to the independence of a sovereign State inaugurated. And thus was established the State government of Maryland. From this period the history of the State assumes a double aspect, because of its distinct yet not inconsistent capacities, as an independent State, and as a member of the United States under the old confederation and present union.

The Council of Safety, the provincial government, was dissolved on the 22d of March, and thus ended an administration of the most exemplary character. Its authority, it is true, had no limit but discretion, yet its mandates were characterized by justice and moderation. Chancellor Hanson, in his introductory to the journals of the Constitutional Convention of 1776, embodied in his publication of the laws of Maryland from 1763 to 1784, pays the following lively and just tribute to the character of the provincial government as administered by the convention through the Council of Safety:

"Such an administration, the immediate offspring of necessity, might have been reasonably expected to be subversive of that liberty which it was intended to secure. But in the course of more than two years, during which it was cheerfully submitted to by all, except the advocates for British usurpation, although many occasions occurred in which an intemperate zeal transported men beyond the just bounds of moderation, *not a single person* fell a victim to the oppression of this irregular government. The truth is, that during the whole memorable interval, between the fall of the old and the institution of the new form of government, there appeared to exist amongst us such a fund of public virtue as has scarcely a parallel in the annals of the world."

[1] During the firing of the cannon, one of the soldiers getting in front of one just as it was fired, was unfortunately killed.

CHAPTER XXIII.

WHEN congress adjourned to Baltimore, the general feeling was one of despondency, and the disaster which had overtaken the army cast a heavy cloud over the cause. In the midst of every discouragement, the army dwindled away, the public credit impaired, and the bills of congress almost worthless, a succession of defeats to dampen the public confidence in the ability of the commander-in-chief to cope with the enemy—General Howe issued a proclamation offering pardon to all rebels who should lay down their arms. This was eagerly accepted by great numbers in Pennsylvania and New Jersey, who saw no hope of success, and thought that thus they would at least obtain protection from a brutal soldiery, who perpetrated the most shocking outrages upon the unresisting inhabitants.

In the midst of this crisis, the greatest commotion prevailed in Maryland, where the people were zealously preparing for an invasion, and hastening troops and supplies to sustain the commander-in-chief. His situation at this time was most critical. His troops were reduced to a mere handful, and it was uncertain whether he would receive any reinforcements. Disappointed in his hopes from New Jersey, where the spirit of disaffection was prevalent, he could not tell what reliance could be placed on Pennsylvania and Maryland. In the latter State, he was not disappointed: so soon as intelligence was received of his retreat through the Jerseys, every preparation was made to sustain him. Congress despatched Colonel Ewing, of the Maryland flying-camp, on the 9th of December, to the Maryland Council of Safety, with the news of the disasters which had overtaken the army; and immediately the militia of Cecil, Baltimore, Harford and Frederick Counties, were put in motion for the seat of war. There being a great deficiency of arms in the State, the urgency of the situation induced great numbers to march without them, hoping to be supplied in Philadelphia. To encourage and hasten the raising of these new levies, Washington, with the approval of congress, ordered General Smallwood to proceed immediately to Maryland.[1]

On the 1st of December, the term of enlistment of General Beall's Maryland brigade of the flying-camp expired, and owing to the unpopularity of their

[1] On the 31st of December, Congress "*Resolved*, That General Smallwood be directed to exert his utmost endeavors, and give the necessary orders and instructions to expedite the raising the levies in the State of Maryland; and that it be earnestly recommended to the Legislature and Council of Safety, the several committees of observation, the civil, military and militia officers of said State, and every friend of liberty and the United States, to give General Smallwood every assistance in their power."

commanding officer, and the condition to which they were reduced, General Washington was compelled to discharge the greater portion in the face of the enemy. Some few remained as volunteers, and many re-enlisted after their return to the State. Major Gist's (formerly Smallwood's) regiment, however, the seven independent companies and the two artillery companies, with the Maryland part of the rifle and German regiments—four companies in each—making a total of 2,280 men, all re-enlisted for three years, on the Continental plan. And for immediate service, Captain James Nicholson, of the naval force, in the Chesapeake, gathered about twenty small bay craft, and brought all the public stores, sick, prisoners, etc., from the head of Elk River to Baltimore. They had previously been sent to the former place, at the request of Washington, upon the adjournment of congress from Philadelphia. After performing this service he was ordered, with Captain Cook, of the ship *Defence*, and seventy-six of his crew, to join the American army at Philadelphia, where they arrived "in high spirits, and very desirous of engaging the enemy."

Washington's army was now reduced to less than three thousand men, composed of Virginians, Marylanders, Pennsylvanians and a part of Colonel Ward's regiment, from Connecticut. He was sensible of the necessity of some immediate favorable turn in his military operations, not only to save the city of Philadelphia, but to rouse the spirit of the people, and to secure an army for the succeeding campaign. He therefore boldly resolved, even with this small force, to attempt to surprise a body of Hessians, under Colonels Rahl, Lossberg and Knyphausen, encamped at Trenton.

After the capture of General Lee, the command of his army devolved on General Sullivan, who marched with it as soon as possible, to join Washington. They arrived in camp in miserable plight, and destitute of almost everything, on the 20th of December. On the same day, Gen. Gates, with the remnants of four regiments, arrived from Ticonderoga, having been relieved at that place by the retirement of General Carleton into Canada for winter-quarters. Smallwood's regiment, now under the command of Major O. H. Williams, having been reduced to one hundred and sixty effective men, was attached to Lord Stirling's brigade in Sullivan's division. With these troops and the remnants of his army, amounting together to about twenty-five hundred men, Washington, on Christmas night, 1776, crossed the Delaware at McKonkey's Ferry, (now Taylorsville), nine miles above Trenton. Early next morning the troops with twenty pieces of artillery, after suffering great hardships on their march, and perilously crossing the Delaware amid masses of floating ice, landed on the opposite shore. Here Major Wilkinson,[1] of Maryland, says he traced their march by the blood from the

[1] General James Wilkinson was born near Benedict, St. Mary's county, in 1757, and studied at the Medical School of Philadelphia in 1773, and after the battle of Bunkers Hill, repaired to the American camp at Cambridge, Massachusetts. In March, 1776, Washington made him a captain in Reed's (New Hampshire) regiment, in which he served under Arnold in the Northern army. In July, 1776, he was appointed brigadier-major, and in December was sent by

feet of those whose shoes were broken. Through hail and snow, Washington's half-frozen army in two divisions, under Sullivan and Greene, advanced into Trenton. The storm which had rendered the march intolerable by driving the sleet in their faces, kept the inhabitants on the route within doors, and the snow had deadened the tread of the troops and the rumbling of the artillery. The two divisions coming in different directions attacked the town simultaneously, and drove in the outposts. In the confusion and surprise, Colonel Rahl, the Hessian commander, became bewildered, and after a short and sharp conflict, fell from his horse, pierced by a musket ball. His panic-stricken and disordered men were struck with dismay, and surrendered at discretion. The number of prisoners taken in this engagement was twenty-three officers and eight hundred and eighty-six privates, besides six brass field-pieces, one thousand stand of arms and a large quantity of military stores. The Americans lost two killed and two frozen to death. Washington's victory, however, was impaired by the failure of Colonel Ewing and General Cadwalader,[1] who were to have crossed the Delaware from Philadelphia for the purpose of attacking the lower posts under Colonel Donop and preventing the escape of the fugitives from Trenton. This part of the plan was frustrated by the quantity of ice

MAJOR WILKINSON.

General Gates to the commander-in-chief with despatches, and assisted in the battles of Trenton and Princeton. On January 12, 1777, he was appointed lieutenant-colonel, and upon the appointment of General Gates to the command of the Northern army, he was, on May 24, made adjutant-general, and bore to Congress the official despatches announcing Burgoyne's surrender. He received the brevet of brigadier-general, and was appointed secretary to the Board of War, of which General Gates was president. Implicated in the General Conway cabal, he resigned his secretaryship, and on July 24, 1776, was appointed clothier-general to the army. After the peace, he settled in Lexington, Kentucky, with his family, and engaged in mercantile transactions, particularly in a tobacco contract with the Spanish Government of Louisiana. On the 7th of November, 1791, he was appointed lieutenant-colonel, commanding the 2d United States Infantry, and in 1791-2, commanded an expedition on the Wabash. On March 5, 1792, for distinguished services, he was promoted to brigadier-general, and commanded the right wing of General Wayne's army at the Maumee Rapids, where he again distinguished himself. In December, 1803, he received, as joint commissioner with Governor Claiborne, Louisiana from the French, and in 1805-7, was Governor of Louisiana Territory. He was general-in-chief of the army, December, 1796, July, 1798, and June, 1800, to January, 1812. He remained at the head of the Southern department until his court-martial in 1811, which grew out of the enmity of Burr's friends at his activity in exposing his plans, and the charge of being in the pay of Spain, and was honorably acquitted. On July 10, 1812, he was appointed brevet major-general; in March, 1813, major-general; and in April, 1813, he reduced Mobile, and fortified Mobile Point; and in May, was ordered to the northern frontier. His operations against Canada were totally unsuccessful, principally on account of disagreement with General Wade Hampton; and was tried by a court-martial, but was acquitted of all blame. On the reduction of the army in 1815, he was discharged. Having become possessed of large estates in Mexico, he removed to that country, where he died, December 28, 1825. He published, at Philadelphia, in 1816, *Memoirs of My Own Times*, 3 vols., 8vo. He was elegant in person and manners, and sumptuous and hospitable in his living.

[1] General John Cadwalader, son of Dr. Thomas Cadwalader, was born in Philadelphia in 1743, and was a member of the Pennsylvania Convention in 1775. He was an active member of the Philadelphia Committee of Safety, and was afterwards made colonel of one of the city battalions. Soon after, he was promoted to brigadier-general, and was entrusted with the

in the river preventing the embarkation of their artillery. Captain Cooke and his Maryland sailors, in the Pennsylvania galleys, ferried the most of Cadwalader's force across the river.

The enemy being in large force at Princeton and Brunswick, Washington did not think it advisable to risk another engagement, especially as his men were exhausted with fatigue; and he therefore, on the same day, recrossed the Delaware with his prisoners and stores, and returned to his old camp. The Hessian prisoners were subsequently transferred to Frederick Town, Maryland, and thence to Sharpsburg, Leesburg, and finally to Winchester, Virginia.

This bold and successful enterprise encouraged the Americans, and astonished the British, who considered the American army annihilated. Being soon after joined by a number of militia, Washington determined to follow up his success by making an attack on the enemy's stronghold at Princeton. With this view, he commenced to cross his army at Trenton, on the 29th of December. Taking up his line of march, he chose a position for his main body on the east side of the Assanpink, and planted his artillery so as to command the bridge and the fords. Early on the morning of the 2d of January, he received intelligence of the approach of the whole British army, under Lord Cornwallis. By mid-day they reached the American lines, and before sunset they made several unsuccessful attempts to cross the Assanpink at the bridge and fords. Cornwallis, feeling sure of success, delayed the general assault until the following day; and in the meantime, Washington seeing the need of avoiding a general engagement, concluded to leave a small force to occupy the attention of the enemy during the night, and with his main army march to Princeton by a circuitous route and surprise the British troops at that place. Leaving Putnam to keep his camp-fires burning, to deceive the enemy, Washington secretly withdrew his army and marched by the road to Sandtown and the Quaker Bridge, towards Princeton. As the army neared the town, General Mercer with his brigade, composed principally of the remains of the Maryland and Delaware regiments, the former under the command of Captain John H. Stone, numbering in all about three hundred and fifty men, were advanced to occupy and if possible destroy the bridge over Stony Brook, by which it was supposed Cornwallis would approach if he took the alarm. The British, unaware of the presence of an enemy, had put in motion at an

command of the Pennsylvania militia, and co-operated in the attack on the Hessians at Trenton. He took part in the battle of Princeton, January 3, 1773, and acted with his command as a volunteer at Brandywine, Germantown and Monmouth. In the autumn of 1777, at the request of Washington, he assisted in organizing the militia of the Eastern Shore, and after the disgrace of General Conway, he was called to account by Cadwalader for some offensive remarks in reference to Washington. In the duel which followed, Conway was severely wounded. General Cadwalader removed to Maryland, and represented Kent county in the Legislature. He died at his country-seat, in Kent county, on the 11th of February, 1786, aged forty-four years, one month and one day, and was buried in the churchyard at Shrewsbury parish, Kent county, Maryland. His daughter Fannie, in 1800, married D. M. Erskine (afterwards Baron Erskine). His grandson, General George Cadwalader, distinguished himself in the Mexican War and the late Civil War. He published a reply to General J. Reed's "Remarks," 1783.

early hour Colonel Mawhood's 17th regiment to join Cornwallis at Trenton. At daybreak, the two advancing forces met, and a sharp contest ensued. At the first discharge, Mercer was dismounted, and Colonel Haslet, of the Delaware regiment, mortally wounded. This caused a momentary confusion, and the British availing themselves of it, charged with the bayonet, and the American riflemen having no weapon of the kind, were thrown into disorder and retreated. Captain Neal, the commander of the artillery, was killed, and Mercer, who was on foot, endeavoring to rally his men, was felled to the ground with the butt-end of a musket, and while defending himself with his sword, was surrounded and repeatedly bayoneted, and left for dead. He expired in the arms of Major Lewis on the 12th of January, in the 56th year of his age.

Hearing the sound of the firing, Washington, who was pushing on to Princeton, detached a body of the Pensylvania militia, and placing himself at their head, rode forward under the fire of the enemy's battery to rally the remnant of Mercer's detachment. At this moment the 7th Virginia regiment came rapidly up from the wood and forming on the right of the Pennsylvanians, the whole body rushed forward with a loud cheer. The struggle was short and decisive, and the enemy in their turn broke and fled. The 55th and 40th British regiments who had been on the left, near Princeton, had, in the meantime, encountered General St. Clair, and after the interchange of a few shots, fled in disorder to Brunswick. In this brilliant action the British lost about two hundred killed and wounded; the American loss was small except of officers.

Princeton was immediately occupied, but such was the fatigue of the American troops who had not slept for two nights, nor had anything to eat since the morning before (the 2d of January), that Washington withdrew his army first to Kingston and then to Pluckemin. Lord Cornwallis, on hearing the sound of the cannon in his rear, retreated immediately from Trenton, and reached Brunswick the same evening. Washington, having taken position at Morristown, kept the enemy in check the rest of the winter. The victories at Trenton and Princeton raised the spirit of the country, and to follow up these successes reinforcements were required to fill up the vacancies occasioned by the expiration of the term of enlistment of a large portion of the army. "As militia must be our dependence," says Washington in a letter to President Hancock, dated January 19th, 1777, "till we get the new army raised and properly arranged, I must entreat you to continue your endeavors with the States of Pennsylvania, Maryland and Virginia to turn out every man they possibly can." In compliance with this request, congress, on the 21st January,

"*Resolved*, That it be recommended to the Council of Safety of Maryland to request the militia of Harford, Baltimore, Cecil, and such other counties of their State as they shall think proper, to march as soon as possible to reinforce General Washington, giving directions that each company consist of not less than thirty-six privates, under the command of two commissioned officers, and that a field officer take the command of every four companies."

President Hancock transmitted this resolution to the Maryland Council of Safety, and they immediately, on the 25th, ordered the militia of Anne Arundel, Prince George's, Kent, Queen Anne's, Frederick, Baltimore, Harford and Cecil Counties to join General Washington at once in the Jerseys. They were to serve under the command of Brigadier-General Thomas Johnson, who was then a member of congress.

In the meantime, on the 31st of January, 1777, while congress was sitting in Baltimore, President Hancock transmitted the following letter to the legislature, inclosing a resolution of congress, passed on the 18th of January:

"Gentlemen:—

"As there is not a more distinguished event in the history of America than the Declaration of her Independence, nor any that, in all probability, will so much excite the attention of future ages, it is highly proper that the memory of that transaction, together with the causes that gave rise to it, should be preserved in the most careful manner that can be devised.

"I am, therefore, commanded by Congress to transmit you the enclosed copy of the Act of Independence, with the list of the several members of Congress subscribed thereto; and to request that you will cause the same to be put upon record, that it may henceforth form a part of the archives of your State, and remain a lasting testimony of your approbation of that necessary and important measure.

"I have the honor to be, Gentlemen, your most obedient and very humble servant,

"JOHN HANCOCK, *President.*"

The House of Delegates being so much engrossed with the formation of their new government and other important business, did not take the matter into consideration until the 18th of April, when they ordered "that the said declaration be entered on the journal of this House, among the proceedings of the High Court of Chancery, and also on the records of the General Court, to perpetuate the memory of an event which will excite the admiration and attention of future ages, inform posterity of the causes which gave rise to so necessary and important a resolution, and evince to the world our approbation of that measure."

General Johnson having been elected governor, and qualified, as has been stated, resigned his seat in congress and assumed the executive office of the State. On the 3d of April, 1777, the chancellor, the judges of the General Court and of the Admiralty Court, and the justices of the peace, who formed the county Courts, and the Attorney-General, were appointed by the legislature. And an Act was passed declaring that the Courts of Justice should be opened on the first of July in the same year; but it would seem that the Court of Chancery was not in all respects accessible to suitors until some time after. It was determined, at this first session of the legislature, that the Court of Appeals should be constituted of five district judges, who, owing to the particular circumstances of the State, were not appointed by the legislature until the 12th of December, 1778. Hence it was not until after that period that the judicial department could be said

IN CONGRESS, JULY 4, 1776.

THE UNANIMOUS

DECLARATION

OF THE

THIRTEEN UNITED STATES OF AMERICA.

WHEN, in the Course of human Events, it becomes necessary for a People to diſſolve the Political Bands which have connected them with another, and to aſſume, among the Powers of the Earth, the ſeparate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Reſpect to the Opinions of Mankind requires that they ſhould declare the Cauſes which impel them to the Separation.

We hold theſe Truths to be ſelf-evident, that all Men are created equal, that they are endowed, by their CREATOR, with certain unalienable Rights, that among theſe are LIFE, Liberty, and the Purſuit of Happineſs.—That to ſecure their Rights, Governments are inſtituted among Men, deriving their juſt Powers from the Conſent of the Governed, that whenever any Form of Government becomes deſtructive of theſe Ends, it is the Right of the People to alter or to abolish it, and to inſtitute new Government, laying its Foundation on ſuch Principles, and organizing its Powers in ſuch Form, as to them ſhall ſeem moſt likely to effect their Safety and Happineſs. Prudence, indeed, will dictate, that Governments long eſtabliſhed, ſhould not be changed for light and tranſient Cauſes; and accordingly all Experience hath ſhewn, that Mankind are more diſpoſed to ſuffer, while Evils are ſufferable, than to right themſelves by abolishing the Forms to which they are accuſtomed. But when a long Train of Abuſes and Uſurpations, purſuing invariably the ſame Object, evinces a Deſign to ſubject them under abſolute Deſpotism, it is their Right, it is their Duty, to throw off ſuch Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of theſe Colonies; and ſuch is now the Neceſſity which conſtrains them to alter their former Syſtems of Government. The Hiſtory of the preſent King of Great-Britain is a Hiſtory of repeated Injuries and Uſurpations, all having in direct Object the Eſtabliſhment of an abſolute Tyranny over theſe States. To prove this, let Facts be ſubmitted to a candid World.

He has refuſed his Aſſent to Laws, the moſt wholeſome and neceſſary for the public Good.

He has forbidden his Governors to paſs Laws of immediate and preſſing Importance, unleſs ſuſpended in their Operation till his Aſſent ſhould be obtained; and when ſo ſuſpended, he has utterly neglected to attend to them.

He has refuſed to paſs other Laws for the Accommodation of large Diſtricts of People, unleſs thoſe People would relinquiſh the Right of Repreſentation in the Legiſlature, a Right ineſtimable to them, and formidable to Tyrants only.

He has called together Legiſlative Bodies at Places unuſual, uncomfortable, and diſtant from the Depoſitory of their public Records, for the ſole Purpoſe of fatiguing them into Compliance with his Meaſures.

He has diſſolved Repreſentative Houſes repeatedly, for oppoſing with manly Firmneſs his Invaſions on the Rights of the People.

He has refuſed for a long Time, after ſuch Diſſolutions, to cauſe others to be elected; whereby the Legiſlative Powers, incapable of Annihilation, have returned to the People at large for their exerciſe; the State remaining, in the mean Time, expoſed to all the Dangers of Invaſion from without, and Convulſions within.

He has endeavoured to prevent the Population of theſe States; for that Purpoſe obſtructing the Laws for Naturalization of Foreigners; refuſing to paſs others to encourage their Migrations hither, and raiſing the Conditions of new Appropriations of Lands.

He has obſtructed the Adminiſtration of Juſtice, by refuſing his Aſſent to Laws for eſtabliſhing Judiciary Powers.

He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

He has erected a Multitude of new Offices, and ſent hither Swarms of Officers to harraſs our People, and eat out their Subſtance.

He has kept among us, in Times of Peace, Standing Armies, without the Conſent of our Legiſlatures.

He has affected to render the Military independent of and ſuperior to the Civil Power.

He has combined with others to ſubject us to a Juriſdiction foreign to our Conſtitution, and unacknowledged by our Laws; giving his Aſſent to their *Acts of pretended Legiſlation*:

For quartering large Bodies of Armed Troops among us:

For protecting them, by a mock Trial, from Puniſhment for any Murders which they ſhould commit on the Inhabitants of theſe States:

For cutting off our Trade with all Parts of the World:

For impoſing Taxes on us without our Conſent:

For depriving us, in many Caſes, of the Benefits of Trial by Jury:

For tranſporting us beyond Seas to be tried for pretended Offences:

For abolishing the free Syſtem of Engliſh Laws in a neighbouring Province, eſtabliſhing therein an arbitrary Government, and enlarging its Boundaries, ſo as to render it at once an Example and fit Inſtrument for introducing the ſame abſolute Rule into theſe Colonies:

For taking away our Charters, abolishing our moſt valuable Laws, and altering fundamentally the Forms of our Governments:

For ſuſpending our own Legiſlatures, and declaring themſelves inveſted with Power to legiſlate for us in all Caſes whatſoever.

He has abdicated Government here, by declaring us out of his Protection, and waging War againſt us.

He has plundered our Seas, ravaged our Coaſts, burnt our Towns, and deſtroyed the Lives of our People.

He is, at this Time, tranſporting large Armies of foreign Mercenaries to compleat the Works of Death, Deſolation, and Tyranny, already begun with Circumſtances of Cruelty and Perfidy, ſcarcely paralleled in the moſt barbarous Ages, and totally unworthy the Head of a civilized Nation.

He has conſtrained our Fellow-Citizens, taken Captive on the high Seas, to bear Arms againſt their Country, to become the Executioners of their Friends and Brethren, or to fall themſelves by their Hands.

He has excited domeſtic Inſurrections amongſt us, and has endeavoured to bring on the Inhabitants of our Frontiers, the mercileſs Indian Savages, whoſe known Rule of Warfare, is an undiſtinguiſhed Deſtruction, of all Ages, Sexes, and Conditions.

In every Stage of theſe Oppreſſions we have Petitioned for Redreſs in the moſt humble Terms: Our repeated Petitions have been anſwered only by repeated Injury. A Prince, whoſe Character is thus marked by every Act which may define a Tyrant, is unfit to be the Ruler of a free People.

Nor have we been wanting in Attention to our Britiſh Brethren. We have warned them, from Time to Time, of Attempts by their Legiſlature to extend an unwarrantable Juriſdiction over us. We have reminded them of the Circumſtances of our Emigration and Settlement here. We have appealed to their native Juſtice and Magnanimity, and we have conjured them by the Ties of our common Kindred to diſavow theſe Uſurpations, which would inevitably interrupt our Connections and Correſpondence. They too have been deaf to the Voice of Juſtice and of Conſanguinity. We muſt, therefore, acquieſce in the Neceſſity, which denounces our Separation, and hold them, as we hold the Reſt of Mankind, Enemies in War, in Peace Friends.

We, therefore, the Repreſentatives of the UNITED STATES of AMERICA, in GENERAL CONGRESS Aſſembled, appealing to the Supreme Judge of the World for the Rectitude of our Intentions, do, in the Name, and by Authority of the good People of theſe Colonies, ſolemnly Publiſh and Declare, That theſe United Colonies are, and of Right ought to be, FREE AND INDEPENDENT STATES; that they are abſolved from all Allegiance to the Britiſh Crown, and that all political Connexion between them and the State of Great-Britain, is, and ought to be, totally diſſolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, eſtabliſh Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of Right do. And for the Support of this Declaration, with a firm Reliance on the Protection of DIVINE PROVIDENCE we mutually pledge to each other our *Lives*, our *Fortunes*, and our *ſacred Honour*.

John Hancock.

GEORGIA.	Button Gwinnett, Lyman Hall, Geo. Walton.
NORTH-CAROLINA.	Wm. Hooper, Joſeph Hewes, John Penn.
SOUTH-CAROLINA.	Edward Rutledge, Thos. Heyward, junr. Thomas Lynch, junr. Arthur Middleton.
MARYLAND.	Samuel Chaſe, Wm. Paca, Thos. Stone, Charles Carroll, of Carrollton.
VIRGINIA.	George Wythe, Richard Henry Lee, Th. Jefferſon, Benja. Harriſon, Thos. Nelſon, jr. Francis Lightfoot Lee, Carter Braxton.
PENNSYLVANIA.	Robt. Morris, Benjamin Rush, Benja. Franklin, John Morton, Geo. Clymer, Jas. Smith, Geo. Taylor, James Wilſon, Geo. Ross.
DELAWARE.	Cæſar Rodney, Geo. Read, Thos. M'Kean.
NEW-YORK.	Wm. Floyd, Phil. Livingſton, Frar. Lewis, Lewis Morris.
NEW-JERSEY.	Richd. Stockton, Jno. Witherſpoon, Frar. Hopkinſon, John Hart, Abra. Clark.
NEW-HAMPSHIRE.	Joſiah Bartlett, Wm. Whipple, Matthew Thornton.
MASSACHUSETTS-BAY.	Saml. Adams, John Adams, Robt. Treat Paine, Elbridge Gerry.
RHODE-ISLAND AND PROVIDENCE, &c.	Step. Hopkins, William Ellery.
CONNECTICUT.	Roger Sherman, Saml. Huntington, Wm. Williams, Oliver Wolcott.

IN CONGRESS JANUARY 18, 1777

ORDERED THAT an authenticated Copy of the DECLARATION OF INDEPENDENCY, with the Names of the MEMBERS of CONGRESS, ſubſcribing the ſame at large to each of the UNITED STATES, and that they be deſired to have the ſame put on RECORD.

By Order of CONGRESS,

JOHN HANCOCK, *Preſident.*

Attest Chas Thomson Secy

A true Copy

John Hancock Pres.

BALTIMORE, In MARYLAND: Printed by MARY KATHARINE GODDARD.

to be completed, and in all its branches, prepared and ready for the administration of justice.[1] At the February session of the legislature of 1777, Orphans' Courts were also established in the several counties of the State. By this Act, the office of commissary-general, who exercised the duties of an Orphans' Court, was abolished, and seven justices of the peace in Anne Arundel, Baltimore and Prince George's Counties, and five in the others, were to be commissioned by the governor as justices of the several Orphans' Courts in the State, who were to hold a court at least once in two months, or oftener, if business should require it.

Having appointed all the necessary officers under the new government, the legislature immediately turned their attention to the recruiting service, and providing supplies, and enacting measures for the benefit of the common cause. By the Act of 1777, chapter II., "to prevent desertion," it empowered any person to apprehend a man suspected of being a deserter, and carry him before a justice of the peace for examination. It gave a reward to those who apprehended deserters, and inflicted fines on those who harbored or concealed them, and upon those who dealt in arms, horses, clothes, etc., knowing them to belong either to the State or the United States. And "to promote the recruiting service," any person who enlisted into the State's service was exempted from arrest for debt under £12 sterling, £20 currency, or 2,000 lbs. tobacco, and his property also exempted from attachment or execution from such debt. Recruiting officers were authorized to enlist servants or apprentices not having more than eighteen months to serve, on paying to their masters the value to which they might be appraised by a justice. The governor was also required to appoint in every hundred, a person to collect blankets, whose duty it was to call on every house-keeper in his district, and compel them to furnish him under oath a statement of the number of blankets not in general use during the winter season; one-half of which surplus he was ordered to seize for the use of the army, paying their owners the appraised value. And "to expedite the march of troops in and through this State," justices of the peace, upon application of any officer, were empowered to issue their warrants to constables to hire or press teams, carriages or boats for expediting the march of any battalion, detachment, troop or company employed in the public service with their baggage and military stores through this State. To provide comfortable quarters for the new recruits while preparing for the army, barracks were ordered to be erected at the head of Elk River and Frederick for the accommodation of two battalions, and at Annapolis for one. And "to make the bills of credit issued by congress, and the bills of credit emitted by acts of Assembly and Resolves of the late Conventions, a legal tender in all cases," they passed an Act[2] declaring that "any person refusing

[1] See Appendix for a list of judicial officers.

[2] This law was repealed, October, 1780, (chapter v.) Chancellor Hanson, in his note to this Act, remarks: "To this law, and to similar Acts in the other States, is by some men ascribed the preservation of our liberties; whilst others deny it the least merit, and, at the same time, impute to it the perversion of our morals, and every other political evil under which we have labored since its passage."

these bills for a commodity sold, or offered for sale, or offering a commodity for a less price in specie, or offering or demanding bills for specie at higher rates than herein mentioned, was to forfeit to the State the value of the commodity so sold or offered for sale, or a sum equal to the bills so offered or demanded."

This same legislature passed "an Act for quartering soldiers," by which the quartermasters in the various districts upon receiving notice from the commander of any detachment in the service of the United States, or any of them, were to provide quarters. They were first to hire houses, and if these were not sufficient, they were to take empty ones, and if these failed, the troops were to be billeted on taverns according to their means of accommodation; if these proved inadequate, they were to be quartered on such persons who had not signed the association, or who were adjudged enemies, or were disaffected. The last recourse was to be had on good citizens. Where troops did not receive rations, the owners of the houses were to furnish them at certain rates, to be paid by the commanding officer. The owners of property were to be paid the appraised value of the damages inflicted.

While the legislature was thus preparing for defence against the foreign enemies of the State, they did not forget their equally dangerous domestic foes, the tories, who still adhered to the parent country and sought to overthrow the new government, or thwart the measures of the patriots.

The people of the colonies, having withdrawn their allegiance from Great Britain, transferred it, of course, to the colonies, now sovereign and independent, to which they respectively belonged, and which gave them the protection of government and laws. On the 24th of June, 1776, congress had declared that "all persons abiding within any of the United Colonies, and deriving protection from the laws of the same, owed allegiance to the said laws, and were members of such colony." And that "all persons members of, or owing allegiance to any of the United Colonies, who should levy war against any of the said colonies within the same; or be adherents to the King of Great Britain, or other enemies of the said colonies, or any of them, within the same, giving to him or them aid or comfort, were guilty of treason against such colony." And it was recommended to the legislatures of the several colonies to pass laws for the punishment of persons who should be found guilty of such treasons. To join the enemies of their country, or to give them aid or comfort in the colonies in which they resided, and from which they received protection, was justly deemed by the patriots such a violation of duty as must subject them to the usual punishment in such cases. In pursuance of this recommendation of congress, Maryland, as we have seen as early as July 4th, 1776, passed a law to prevent the growth of toryism, and to inflict the punishment of death on such as were found guilty of treason. This, however, did not seem to deter some tories in Worcester and Somerset Counties who broke out in February, 1777, in open insurrection. This section of the Eastern Shore, from its geographical situation and the nature of its formation,

had now become the receptacle of deserters, escaped prisoners, and the disaffected, who had been expelled from neighboring States. A large number of these tories, thinking that the patriotic cause must soon succumb, had sent their wives and families to New York or Great Britain, and remained here in the swamps hoping soon to return to their homes. Many were under the protection of the British army or navy, and were active by their exertions in arms, as well as by their councils and influence, in support of the British. A large number of the tories of Maryland had repaired to Great Britain at a very early period, and among them many who had held high stations in the civil government, as also great numbers of the established clergy, who had become obnoxious from their early exertions in favor of his majesty and the British government. The English government had, from the very first, relied much on the number as well as the respectability of these loyalists, whom she endeavored to encourage and to increase by every means in her power. Until the defeat and capture of General Burgoyne and his army at Saratoga, in October, 1777, the advantages had been much on the side of the mother-country; but that event changed the aspect of affairs.

When Great Britain had, after the adoption of the Declaration of Independence, shown a fixed determination to support her authority by force of arms, accompanied with conciliatory propositions, and a disposition "to revise the laws by which the Americans might think themselves aggrieved;" the friends of Great Britain, who were now called by the one party, loyalists, and tories by the other, increased in number, and were joined, not only by many men of property and abilities who had hitherto taken no part in the contest, but also by many who had resisted the mother-country at the first, and even by some of the members of the Continental Congress itself. It cannot be denied that interest, and an opinion of the issue of the contest, as well as principle, actuated a large number of the tories in not sharing in the views of the majority of the patriots, and they were therefore justified, to a great extent, in not supporting an experiment revolutionary in its nature, and so doubtful in its issue.

Maryland had her share of loyalists, chief among whom was Robert Alexander, who was one of the first to excite the people to resist the encroachments of the British crown. He was one of the "Sons of Liberty" in 1765; a member of the "Association for the Non-importation of European Goods" in 1769; and "his sub-oratory in June, 1774, influenced Baltimore County to adopt the resolves of Boston." He represented Baltimore County in the several provincial conventions from June, 1774, to June, 1776, and during all this time was a warm supporter of the popular cause. He served on nearly all the important committees in the conventions, and in Baltimore Town. In 1775, he was secretary of the Baltimore Committee of Observation, and a Western Shore member of the Council of Safety. He was one of the "Associated Freemen of Maryland," and on the 9th of December, 1775, was appointed a deputy to the Continental Congress. While in congress he served on

several important committees; among others to consider the forming the Middle and Southern States into military departments, and also voted to raise a body of regular forces. On February 27th, he wrote to the Maryland Council of Safety that he denounced the coercive measures adopted by Great Britain, and observed that he "had often reprobated independency both in public and private, but is now almost convinced that the measure is right." He was absent from congress during the discussions upon the Declaration of Independence, giving as an excuse that he was suffering from a wound in his ankle. On July 4th, 1776, he was re-elected by the Maryland Convention a member of congress, but his name does not appear among its proceedings or in the records of the convention. About this time, he fled from the State, and became a prominent member of the "Associated Loyalists of America." About two years later he wrote to the governor to be allowed to return to his family and friends,[1] which was refused, and in 1780 he was outlawed for treason, and his property confiscated.

George Chalmers, another prominent Maryland loyalist, was born in Scotland, 1742, and after being educated at King's College, Aberdeen, and studying law at Edinburg, emigrated to Maryland. Upon the breaking out of the war he returned to England, and for many years filled the office of chief clerk of the committee of the privy council. In this office he had opportunity for the examination of state papers, and, as the result of his labors, he has given to the world numerous historical works of acknowledged merit. His *Political Annals of the United Colonies* appeared in 1780; his *Estimate of the Strength of Great Britain*, in 1782; his *Opinions on Subjects of Law and Policy, arising from American Independence*, in 1784; his *Opinions of Lawyers and English Jurisprudence*, in 1814; his *Life of Mary, Queen of Scots*, in 1822; his *Introduction to the History of the Revolt of the British Colonies*, in 1845. As Mr. Chalmers had access to the highest sources of information, and as he possessed remarkable industry, all his works are valuable contributions to American history.

James Chalmers, of Maryland, a gentleman of considerable prominence in the province, raised and commanded a corps called "Maryland Loyalists,"

[1] POMONA BRIG, OFF RHEEDY ISLAND, DELAWARE BAY, 22d June, 1778.

Sir—The intimacy that once subsisted between us will, I expect, justify the liberty I now take of addressing you a line, though the subject respects myself alone. I am exceedingly anxious to return to my country, from motives which your own feelings will readily suggest, but prudence forbids me to take this step without some assurance of my personal safety. You well know my sentiments and conduct in the public affairs of America, and appealing to Him who is the Searcher of all hearts, I can with truth affirm, I still retain the same opinion. The favor I have at present to ask, is that of a letter informing me of the terms on which persons in my situation may return; should this be inconsistent with the public character you fill, I think there are some gentlemen of my acquaintance to whom, if they were made known, they would communicate it to me. If they are such as are not inconsistent with the feelings of a man of honor, I shall most readily embrace them, and return immediately to my country, my family and friends. A present, I am bound to New York, where I have some business entirely of a private nature, to settle with Mr. Chamier. I propose to return from thence in a flag of truce; should you write me, may I request to be informed if it would be improper to bring with me in the flag some articles for my family, of which they must be greatly in want. I am, with respect, your most obdt. serv't,

ROBERT ALEXANDER.

with the rank of lieutenant-colonel. It does not appear, however, that it was very formidable in 1782, when it was in service. In September, 1783, he went to England, and the Maryland Loyalists, together with a portion of the second battalion of De Lancey's Loyalist Brigade, embarked at New York on board the transport ship *Martha*, bound for St. John's, N. B. On the voyage the ship was wrecked, near Cape Sable, and more than half the number perished.

On the 13th of January, 1777, a large number of the patriotic citizens of Somerset and Worcester Counties represented to congress the treasonable designs of the tories in those counties, and fearing an outbreak, they petitioned for a military force to suppress them. The subject was referred to a committee composed of Messrs. S. Adams, Wilson and R. H. Lee, who brought in a report on the 1st day of February, whereupon congress

"*Resolved*, That the said petition and remonstrance, with the depositions accompanying them, be forthwith transmitted to the General Assembly of the State of Maryland.

"That the said General Assembly be earnestly requested to furnish a sufficient number of their artillery and militia effectually to suppress the tories in the counties of Somerset and Worcester, and to seize and secure the persons mentioned in a list to be transmitted with these resolves, and all others in the said counties who shall appear to have been the leaders of the tory faction there.

"That it be recommended to the General Assembly aforesaid, to direct that a day be given to all the inhabitants of the said counties to assemble at appointed places, and take the oath of allegiance required by the said State, and that all who shall refuse or neglect so to do be disarmed.

"That General Smallwood be, and he is hereby required, to assist in executing the orders of the said Assembly for the purpose aforesaid.

"That this Congress will afford one battalion, or more if requested by the said Assembly, for the said purpose.

"That the said Assembly be requested to cause all offenders as aforesaid to be brought to immediate trial, agreeable to the laws of the said State.

"*Ordered*, That the President write to General Smallwood, and inform him it is the direction of Congress that he call to his assistance any continental officers and troops he shall think proper."

In pursuance of these resolutions, President Hancock, on the same day, enclosed a copy of them to General Smallwood, accompanied with a letter, in which he said "that it is their order you should call to the assistance of the State of Maryland such continental officers and troops, as you shall judge necessary, on their application to you. The dangerous tendency of the insurrection of the tories in the Counties of Somerset and Worcester, requires the most vigorous and immediate measures to suppress it. You will, therefore, hold yourself in readiness to execute such orders as you shall receive from the assembly of this State for this important purpose."[1]

On February 7th, congress directed the commanding officer of the 2d Virginia regiment, then in Baltimore, to proceed with his command to those counties, in order to repress and bring to justice the insurgents; and on the 10th, it ordered the Board of War to inform General Smallwood that they had

[1] *Maryland Papers*, Seventy-Six Society, p. 69.

ordered a sufficient force to the Eastern Shore to suppress the tories, and to direct him to order the officers employed on the recruiting service "to apply themselves diligently to that business."

The resolutions of congress, and these instructions were at once laid before the legislature, which body, on the 11th, issued the following proclamation:

"WHEREAS, Sundry inhabitants of Somerset and Worcester Counties, through the sinister arts of wicked and designing men, have been betrayed into dangerous and highly criminal offences against the government of this State, justly founded on the authority of the people, in opposing the power and measures of congress, in supporting, by word and deed, the dominion of the British crown, and authority of parliament, obstructing the recruiting service, and holding a traitorous correspondence with the open enemies of this and other the United States, and forgetful of the duties which they owe to themselves as freemen, to the State as citizens, have even threatened, with impious and unnatural war, their countrymen and brethren, and for this purpose have actually collected an armed force, and by erecting the standard of the king of Great Britain, have invited the common enemy into their country; in compassion, therefore, to those unhappy and deluded people, and to prevent the effusion of kindred blood, the General Assembly have issued this proclamation, exhorting them to return to a due obedience to the laws of their country, and requiring them to disperse immediately, and within forty days from the date hereof, to repair to the commanding officer at such times and place in the counties of Somerset and Worcester as he shall direct, and then and there deliver up to the persons appointed to receive them, all their fire and side arms, and take the oath of allegiance and fidelity to the State prescribed by the form of government. Upon a strict compliance with those conditions, it is hereby declared and the *public faith solemnly plighted*, that the offenders aforesaid shall not only be pardoned for all the above offences, and for all others of the like nature heretofore committed against this State, but be protected by the law's authority and power thereof, and secured in as full and ample enjoyment of their religious and civil rights as any of its other inhabitants; and, moreover, that their grievances (if any) shall be heard, and speedily redressed; but, as an example to others, and to prevent such dangerous and unwarrantable combinations in future, the persons whose names are hereunto annexed, are excepted from every benefit or advantage which they might otherwise have claimed by virtue of this proclamation. Andrew Francis Cheney, Hamilton Callallo, Whitington Turpin, Thomas Moore, Stoughton Maddox, Thomas Malcolm, Levy Langford, Josephus Beall, Thomas Pollett, jr., Angelo Atkinson, Jesse Gray, William Pollett, John Odell Hart, and the Rev. Mr. Bowie."

At the same time the legislature gave the following instructions to Brigadier-General Smallwood, and through him to Colonel Gist, the commanding officer of the detachment that now moved forward against the Somerset and Worcester County insurgents:

"Colonel Gist is to take with him all the troops now under his command (the Virginia regiment of regulars excepted), together with the Annapolis Independent Company of Militia, commanded by Capt. James Brice, and thirty Matrosses with two field pieces, commanded by Lieut. Wm. Campbell, and with all expedition proceed to Somerset and Worcester Counties, and there disperse the Proclamation published by authority of the General Assembly and see the same duly enforced, and use his utmost endeavor to apprehend all the several persons excepted out of the said Proclamation.

"Should he find any disaffected persons assembled in arms, he is to use his utmost endeavors to quell them, shedding as little blood as may be, and taking care to arrest the ringleaders, and send them under a guard to the Executive power of this State, by them to be disposed of according to Law.

"As Brigadier General Hooper has already marched into Somerset and Worcester counties, we recommend to Col. Gist to call on, or send an express to him on his way down to give intelligence; and if he should understand that the tories are entirely dispersed, and their ringleaders secured, he is to direct the militia of this State to return to their respective homes, the matrosses to their stations at Annapolis and Baltimore Town, and dismiss the regulars from the present service.

"He is to give intelligence of his proceedings from time to time to the Executive body of this State.

"That Col. Gist, or the Commanding officer in Somerset or Worcester Counties, hereafter take the directions of this State as to the disposition of the arms that may be delivered up by the insurgents in those counties."

General Smallwood hereupon ordered the second Virginia regiment, which was then passing through Baltimore, to join Washington, and the continental regular companies of Captains Deane and Goodman, and Captain Sterrett's independent company of Baltimore merchants, to embark at Fell's Point, Baltimore, under the command of Colonel Gist, for the scene of operations. He joined this force at Annapolis, and added to it the matrosses and the independent company.

On the 19th of February, General Smallwood and his force arrived at Salisbury, and immediately proceeded to Princess Anne, where he arrived on the 23d. In his report of operations to the president of the senate, dated March 3d, General Smallwood says: "At those posts and on our march we found the people generally quiet and peaceable, though much alarmed, particularly such who were under guard upon accusations. They seemed disposed to accept the terms offered in the proclamation, which induced me to discharge all the militia and procure twenty-eight horsemen, who have rendered essential service upon detached duty, under regular officers, having all the suspected persons under guard except Callallo and Moore, after whom I have had three parties for some time out, and directed Captain Campbell to cruise in the sound, hang out British colors, and hover about the mouth of the rivers in order to decoy and intercept them, should an escape be attempted that way."[1]

In another letter to Daniel of St. Thomas Jenifer, president of the Council of Safety, dated Snow Hill, March 14th, General Smallwood said that he was satisfied the proclamation would not have the desired effect, nor would any measures avail unless similar ones were adopted in Delaware.

"Such was the confidence of the Loyalists in each other from their communication and vicinity, and from their particular situation and intercourse with the British Navy, that unless this intercourse and the principle and spirit of disaffection can generally be removed, the purpose of any particular post will not be effected. I am daily discovering

[1] Captain James Campbell commanded the Maryland naval forces in the neighborhood of Hooper's Straits and Tangier Sound. Before Smallwood arrived with his forces, it seems that the tories were subdued, a large number arrested and sent to Cambridge jail, in Dorchester county, by the local militia, under the command of Brigadier-General Hooper, aided by Colonel Southey Simpson's (Virginia) battalion, which crossed the State line from Accomac county.

persons who are not only now disaffected, but whose conduct has been more criminal, and from their influence have injured the common cause much beyond what has been in the power of many of the excepted persons; yet I've the strongest assurances that such, without altering their principles, will avail themselves of the benefit of the proclamation, and will view it in no other light than as a compulsory act (which some already have insinuated), whilst others more conscientious, cannot renounce their *beloved King*, and therefore several have already absolutely refused to take the oath of allegiance to this State. What have you to expect from those who have cut down liberty-poles, and in direct opposition thereto, have erected the King's standard, and in an avowed manner drunk his health and success, and destruction to Congress and Conventions? Of those who have advised and actually signed General Howe's Proclamation? Of militia officers who have embodied with and headed the Insurgents? Of persons under bond and security to the State, who have forfeited the penalty by commission of most of the within-mentioned crimes? Of those who have supplied the King's ships with provisions, and kept up a constant intercourse with them? Of those who knowingly aided and conveyed the public prisoners on board? Of those enrolling in the king's service, during the war, under Callallo? Of those advising the soldiers of this State and continent to desert, and not only harboring, but supplying them with arms, to defend themselves against being taken? And lastly, what can be expected from the inhabitants of a place which becomes the reception of deserters, escaping prisoners and most of the disaffected who have been expelled the neighboring States. These facts being unquestionably proved, and in many instances admitted, would not demonstrate that religion was the original cause of these events. Yet, this is urged as the principal motive, in every instance, though there are some exceptions, wherein ignorant men, from religious attachments, have been deluded (those are readily distinguished and to be pitied). Yet by far the greater number conceal their real motives, and make religion a cloak for their nefarious designs; and you may rely on it, there are few circles of the like extent in New York or the Jersey States, which abound more in disaffected people. . . . The excepted persons are still under guard. Callallo and Moore not yet taken. Fifteen deserters, some Gunby's, but mostly Long's, and two of Fleming's Virginia Regiment have been taken, and I have now detachments out after near thirty more, who have deserted from the navy and army, and are skulking among the people. Captain Shockley, an officer of spirit, and who on this occasion rendered many services, being the other night in quest of deserters was fired on and received one drop shot in his leg, and his horse was wounded with seven, but the party being in the woods, and it being dark, escaped upon our men returning the fire."[1]

Having arrested the most of the ringleaders, whom he compelled to take the oath of allegiance, or, on their refusal, sent to jail[2] for trial, General Smallwood, in compliance with an order of General Washington,[3] directing

[1] *Maryland Papers*, Seventy-Six Society, p. 82.

[2] In 1778, the following persons, confined in Cambridge, petitioned Governor Johnson "that a special court be appointed for hearing and determining their several offences, at such place and at such a time" as the Governor should name: Somerset County—Isaac Marshall, Purnell Outon, Benjamin Henderson, George Furnace, Robert Gibbs, David Adams, Thomas Wood Potter, Isaac Gunby, Thomas Tull, Jacob Cullin, Michael Benston, Michael Holland, Jos. Gunby, William Brotton, Thomas Cullin, Eliza Johnson, Levin Tybbs, Jacob Heron, Littleton Johnson, Benjamin Sommers, Thomas Ward, Solomon Bird, George Sommers, John Riggin, Henry Sterling, Aaron Sterling, John Colbern, Ezekiel Ward, Aaron Colbern, Thomas Sommers. Worcester County—Benjamin Henderson, Geo. Furnace, Robert Gibbs, Jesse Ellis, Levi Ellis, Edmund Cropper, Samuel Dredden, William Jones, Joshua Butler, Benjamin Davis, Levin Disharoon, Thomas Clottingham, Ephraim Henderson, Thomas Taylor, Stephen Roach, Zorobabel Hill, Henry Parker, Hesekiah Cary, Eliza Heron, Eliakim Dubly.

[3] *Ibid.*, p. 78.

him to call into active service all the commanding officers of all the regiments in the State, with such men as they had collected—soon after joined the army.

The troubles with the tories in the lower Eastern Shore counties were not yet over. On the 17th of April, 1777, the Maryland delegates in congress represented to that body that there was "imminent danger of an insurrection in the Counties of Somerset and Worcester, and that the insurgents may be joined by disaffected persons in the County of Sussex, in the State of Delaware," and requested that "a continental battalion be placed in the county of Somerset to overrawe and quell the insurgents." The matter was referred to a committee composed of Messrs. Duer, S. Adams, Wilson and Rumsey, and on the 19th, they reported a plan to "remove all persons of influence or of desperate characters within the Counties of Sussex, Somerset and Worcester who have betrayed or manifested a disaffection to the American cause to some remote or secure place or places within their respective States; there to be secured without any person having accesses to them unless by license" from a proper officer; and to disarm all persons hostile to the American cause. Commissioners were recommended to be appointed with such powers as would enable them "to take charge of the personal estates of the persons removed, and receive the rents arising from their real estates, in order that the same may be appropriated as a fund for their maintenance;" and the governor was also authorized to detect and defeat plots and conspiracies against the liberties of America, and to employ the "weakest continental battalion raised in Maryland" for the purpose. In compliance with this request, Governor Johnson appointed commissioners, and with the aid of Colonel Richardson's battalion, they arrested a large number of loyalists in Somerset and Worcester Counties, and took possession of their estates. A large number fled the province or took refuge in the swamps on the Eastern Shore; and with the aid of the British fleet and deserters, frequently plundered the patriotic people all along the shores of the Chesapeake. To check these depredations, and "to prevent the growth of toryism," the General Assembly enacted that any person who should levy war against the State or the United States, or give aid or comfort to the enemies of the same, or give any intelligence of the warlike designs or intentions of the United States was to suffer death. And if any person should, "by any word, open deed, writing, printing, or other act, advisedly and willingly declare, affirm, maintain or defend, that the king or parliament of Great Britain hath any authority, power or jurisdiction, in or over the United States, or any of them," or that any allegiance is due to Great Britain, or shall induce any one "to return to or acknowledge any dependence" on Great Britain, was, upon conviction, to be fined not exceeding £10,000, current money, and be imprisoned not more than five years in the discretion of the court, or be banished from the State forever. And any person who should by any act excite any of the inhabitants to resist or oppose the government of the State by force was to be fined not exceeding £2,000,

and be imprisoned not more than two years. If any person knew of the intention of any design or attempt to violate this law and did not disclose it, he was to be fined £1,000, and imprisoned not more than one year. If any person discouraged enlistments or obstructed the service he was to be fined not more than £1,000. Any person for discouraging persons from supporting independence, or justified the measures adopted by Great Britain for subduing the United States, was to be fined not exceeding £1,000; and for corresponding with the enemy £100; and for forging continental bills of credit, notes, lottery tickets, etc., was to suffer death; and in case of invasion, the governor was authorized to arrest dangerous or suspicous persons, and during such time the act of habeas corpus was to be suspended; persons were not to travel in any part of the State without a pass; and all persons holding any office of profit or trust, including attorneys-at-law, and every person who should cast a vote at an election, were required to take and subscribe to the following oath:

"I, A B, do swear, that I do not hold myself bound to yield any allegiance or obedience to the King of Great Britain, his heirs or successors, and that I will be true and faithful to the State of Maryland, and will, to the utmost of my power, support, maintain and defend the freedom and independence thereof, and the government as now established, against all open enemies, and secret and traitorous conspiracies, and will use my utmost endeavors to disclose, and make known to the Governor, or some one of the judges or justices thereof, all treasons or traitorous conspiracies, attempts or combinations, against this State or the government thereof, which may come to my knowledge. So help me God."

Having thus framed and organized their new government, in the heat of a most distressing and perilous war—when the movements of the best established political institutions might have been interrupted by the rude collisions of the time—the legislature, on the 20th of April, adjourned. On the 16th of June, however, they were again convened for thirteen days. During this session the assembly passed "an Act to reinforce the American army," by which the governor was authorized to order part of the artillery companies to Philadelphia, to serve in Colonel Harrison's Virginia regiment of artillery. By this Act, any person procuring a recruit to serve three years, was exempted from all military duty; and a bounty of thirty dollars above the continental allowance, was given to those who should voluntarily enlist into any of the State battalions. In consequence of the large number of recruits that were enlisted in the State in other regiments, principally in Colonel Nathaniel Gist's and Hazen's regiments—the latter originally intended to be formed of Canadians—and Spencer's, Baylor's and Lee's corps, which made it more difficult to fill her own quotas, the legislature imposed a penalty of £100 upon any person who enlisted a recruit in the State, unless it was into one of the Maryland battalions.

Shortly after the adoption of the Declaration of Independence, congress had under discussion the expediency of concluding treaties with foreign governments; and Benjamin Franklin, Arthur Lee and Silas Deane were before

that time selected as commissioners to France. In July, Samuel Adams wrote: "It is high time for us to have ambassadors at foreign courts. I fear we have already suffered too much by a delay." The disastrous campaign of 1776 hastened the consideration of this subject, and on the 24th of December, a few days after the assembling of congress, at Baltimore, Messrs. Gerry, Witherspoon, Richard Henry Lee, Clarke and Samuel Adams were appointed a committee "to prepare and report a plan for obtaining foreign assistance." Their plan, which was reported on the 28th, was debated two days in committee of the whole, when it was "*Resolved*, That commissioners be forthwith sent to the Courts of Vienna, Spain, Prussia and the Grand Duke of Tuscany."[1] It was recommended to obtain the assistance of European powers; to prevent foreign troops from engaging in the war against America; to urge the assistance of France in attacking any part of the dominions of Great Britain in Europe and the East and West Indies; to confine the American West India trade to the vessels of France and the United States; to exclude the British from any share in the cod-fisheries of America, by reducing the islands of Cape Breton and Newfoundland, and promising that, if ships of war were furnished to reduce Nova Scotia, when required by the United States, the fishing should be enjoyed exclusively by France and the United States, and the territory, in the event of its capture, be equally divided between the two nations. Benjamin Franklin, who had sailed for France, was also selected commissioner to Spain, and a draft of his commission prepared by a committee composed of Samuel Chase, Wilson and Samuel Adams, was forwarded; but as he declined the appointment, Arthur Lee was substituted. Ralph Izard was appointed minister to Italy, and William Lee to Vienna and Berlin.

Congress continued to hold its sessions at "Congress Hall," which stood on the southwest corner of Sharpe and Baltimore streets, Baltimore, until Washington, with his half-naked and famishing army, had won the battles of Trenton and Princeton, when the causes of its removal having ceased to exist, it adjourned on the 27th of February, and met in Philadelphia, on the 4th of March, 1777. Intimation having been received before its removal, that the enemy contemplated an attack on Maryland, by way of the Chesapeake Bay, congress, on the 15th of January, ordered Mr. Samuel Purviance, of the Baltimore Committee of Observation, to remove all the powder belonging to the continentals from the warehouses in the town "to a convenient house some distance therefrom." And, on the 17th of February, they requested Virginia and Maryland to remove all live stock, provisions, etc., from the Eastern Shore counties and

CONGRESS HALL.

[1] The great Reformer, Leopold I., (afterwards Emperor of Germany).

adjacent islands, or secure them, that they might not fall into the enemy's hands. President Hancock forwarded these resolutions to the Maryland Council, and in a letter to these gentlemen, dated February 17th, said:

"As Congress have received information that the enemy are meditating a descent upon the coast of Chesapeake Bay the ensuing campaign, I have it in charge to request you will cause all the stock of every kind (agreeable to the enclosed resolve,) to be immediately removed from the Shore and the adjacent islands, or otherwise so secured that there may be no danger of its falling into the hands of our enemies—and that you will take the most effectual measures to protect those who are well affected to the cause of America from being plundered and insulted by the enemy."[1]

In pursuance of the resolutions of congress, and at the request of President Hancock and General Washington, all the powder and military stores were removed from Baltimore and Annapolis. Those from Baltimore being sent to the town of Carlisle, Pennsylvania, and those from Annapolis to Frederick. The live stock was also removed from the islands in the Chesapeake and sent to the interior of the country. The prisoners in Baltimore were also sent to Frederick and placed in charge of Lieutenant William Beatty. In August, William Beatty was promoted to a captaincy in the first Maryland regiment, and joined the army under Washington. He was succeeded by Colonel Rawlings, and in August, the prisoners were removed to Sharpsburg and placed in charge of Lieutenant Charles Hughes.

To strengthen the hands and encourage the spirit of the friends of the new government, a large number of the patriots of Baltimore, early in 1777, formed an association called the *Whig Club*. It was designed principally to "detect all traitors, and discover all traitorous conspiracies against the State," and "to apprehend and bring to justice offenders" who would otherwise escape "deserved punishment from an unwillingness of individuals to interfere."[2]

On the 25th of February, *The Maryland Journal and Baltimore Advertiser* published the following article, which excited the indignation of the club:

"For the *Maryland Journal*.—To the printer.—Through the channel of your paper, I take the liberty to congratulate my countrymen on the important intelligence this day received by Congress. The terms of peace offered by General Howe to America, manifest the magnanimity, generosity, humanity, and virtue of the British nation. The offers of peace, and in return to require *only* our friendship, and a preference in our trade and commerce, bespeak the ancient spirit and love of liberty which was once the acknowledged and boasted characteristic of an Englishmen. My soul overflows with gratitude

[1] On the 16th of April, a British brig, carrying sixteen guns, anchored off Swan Point in the Chesapeake, and sent an armed boat to destroy a vessel that was then building near the point. Colonel Harris, with his militia, was watching the movements of the enemy, and shortly after they landed, captured the boat and took the crew prisoners. While Congress was sitting in Baltimore, the brig *Lexington*, carrying sixteen four-pounders, arrived in the harbor. She had been captured off the capes of Virginia by the British frigate *Pearl*, and the enemy, placing a prize crew on board, ordered her to follow the frigate. During the night, the Americans revolted, and, overpowering the prize crew, carried the brig into Baltimore, where she was recommissioned under Captain Johnston, and in February, 1777, sailed for Europe.

[2] See *Chronicles of Baltimore*, p. 155.

THE
MARYLAND JOURNAL, AND THE BALTIMORE ADVERTISER.

Containing the FRESHEST ADVICES, both FOREIGN and DOMESTIC.

Omne tulit punctum qui miscuit utile dulci. *Lectorem delectando, pariterque monendo.* HOR.

FRIDAY. AUGUST 20, 1773. [VOL. I.]

To the PUBLIC.

THE great Difficulty and expence of speedily obtaining a proper Assortment of Printing Materials, an inadequate Number of Subscribers to defray the Charge of printing a weekly News-Paper, added to several unfortunate Events which have happened to me, have been the Reasons why the MARYLAND JOURNAL *and* BALTIMORE ADVERTISER, *so long expected, hath not before made its appearance. This, I flatter myself, will be deemed an ample Apology, in the Minds of the Candid, for the long Delay in publishing it.—Many Gentlemen, however, encouraging me to hope for a considerable Addition to my List of Subscribers, I now venture to send the first Number abroad; and while I solicit the further Encouragement of the Public, I humbly bespeak a candid Reception for this Beginning, which, I am sensible, must appear under many Disadvantages, as I have not yet been able to establish a special Post from this Place to Philadelphia, for the Purpose of bringing down, in due Season, the latest Papers.*

I was aware when it was first proposed to me to undertake a News-Paper in this Town, that although it possessed many Advantages in Point of Situation, yet it was impracticable to print such a one as would suit this Part of the Country, without establishing a RIDER *from Baltimore to Philadelphia, to set out from the last-mentioned Place early on Monday Morning, and to arrive here on Tuesday Evening, whereby I should receive the Massachusetts, Connecticut, New-York, Pennsylvania, and sometimes the British and Irish Papers, and be enabled to publish the* JOURNAL, *with the freshest Advices, deliver it to the Customers in Town, and forward it to Annapolis and the Lower Counties, on Thursday Morning, several Hours before the Arrival of the King's Post.—This was a Plan I had contemplated (in order to render this Paper of great and extensive Utility) and had determined some Time ago, with the Assistance of the Public-spirited, to have carried it into Execution; but I have been prevented making the necessary Trial by a severe Indisposition.—I have not, however, given over my Scheme, but shall persevere in the attempt to accomplish it, knowing that on the Success of it depends the Credit—and indeed the very Existence of this Paper.*

After what I have already published touching the Plan I propose to pursue in conducting this Paper, little I think, need be added—I shall content myself, therefore, with assuring the Public that I am determined that nothing shall induce me to depart from the Engagements I have made in my Proposals—and, in short, that it is my Resolution to continue the MARYLAND JOURNAL, *&c., in the following Manner—viz.*

First.—That the Paper shall be published every Thursday (unless another Day should prove more agreeable to the Customers) and shall contain not only the Public News, which I shall collect and compile with the greatest Care, but on Failure of Articles of that Sort, I shall supply the Room with such moral Pieces, from the best Writers, as shall tend most to inculcate good Principles and humane Behaviour, and now and then with Pieces of Wit and Humour, that tend both to amuse and instruct.

Secondly.—That I shall always publish with Pleasure whatever is sent me in Favour of Liberty and the Rights of Mankind, provided the Language is decent and compatible with good Government; but I am resolved that my Paper shall be FREE and of NO PARTY. And as Agriculture and every Branch of Husbandry ought, in this Country, to be a primary Object of Attention, and forasmuch as printed Books on such Subjects, adapted to Climates different from ours, are apt to mislead rather than instruct, our own Experiments in these Matters, on which alone we can rely with Safety, may be better communicated, and the Knowledge thereof spread amongst us by the Channel of a weekly News-Paper than by any other, wherefore I shall always be careful to find a Place in my Paper for whatever may be sent me that is new and useful on such Subjects.

While these several Matters are attended to, the Arrival and Departure of Ships, the Course of Exchange, and Prices Current of Goods, &c., shall not be neglected.

Having entered upon a very arduous and expensive Undertaking, I must now earnestly entreat the immediate Assistance of every Subscriber, in advancing the Entrance Money agreeable to Contract; without which the Life of this Paper will be but of very short Duration.—All who wish well to the Institution, I am persuaded, will cheerfully comply with my Request, without Delay—and I hope they will dispense with a personal Application, which were it practicable, would be very painful, and send the Money to the Printing Office, from whence Receipts (for whatever they may be disposed to advance for the Encouragement of the Work) shall be returned to them.

I cannot conclude without returning my most grateful Acknowledgments to all those who have kindly assisted me in taking in Subscriptions for this Paper, and otherwise promoting my Interest in this Province; and particularly to those public-spirited Gentlemen who exerted themselves in a remarkable Manner for the Establishment of this Paper and the Printing-Business in the Town of Baltimore.

I am the Public's
Devoted humble Servant,
W. GODDARD.

PRINTING OFFICE, BALTIMORE, AUGUST 20, 1773.

A Letter from the Bishop of C. to the Earl of Bellamont, on his late duel with Lord Townshend.

MY LORD,

THOUGH I presume to address myself to your Lordship on a subject in which you are unfortunately but too much interested, it is not my intention, by any means, to wound the sensibility of your temper, or to question the benevolence of your heart. I am sure you are a brave man, and I hear you are as good a man as any to be found among the youth of condition in this kingdom; yet, pardon me, my Lord, if I say that our youth of condition do not want advice upon any point so much as upon the point of honour, with which they fancy themselves so intimately acquainted; and let me inform you, a father of the Church now begs your most serious attention, that, through your Lordship, he may communicate a few observations to the world, no less necessary to maintain the laws of his country than to enforce the commandments of his God.

Be not, however, terrified, my Lord, though an old man, and that man of some ecclesiastical consequence too, breaks thus abruptly on your retirement: He will talk to you as fashionably as if he did not think religiously, and make (the better to answer his purpose) a serious question in morals, an object of polite investigation. To drop the third person, my Lord, I know experimentally what the passions are at your time of life; young men prefer any criminality with which meanness is not connected, to the slightest idea of dishonour; they do not fear to commit a flagitious action so much as to be concerned in a foolish one; and there are particular crimes, such as duelling, for instance, in which custom has made it glory, not only to sacrifice every dictate of our reason, but every impulse of our humanity.

I have said, my Lord, that I know experimentally with what a vehemence the passions, especially where the point of honour is concerned, rage in the bosom of a young man. In the early part of life, I received an insult which I thought myself indispensibly bound to resent, and of course either a submission or a meeting in the field became the only alternative I could propose to the party by whom I supposed myself injured. He chose the latter; and your Lordship can easily conceive my affliction. My own personal safety was no more than an atom in the scale of consideration; but I agonized at the suspicion of ruin the which I was probably going to pull down upon my whole family, as well as upon the family of my antagonist. I was an only son, the sole heir of an ancient house, and in a fortnight to marry a woman on whom I doated to distraction. The man whom I challenged, besides was circumstanced almost similarly, and had lived with me in an uninterrupted course of friendship for many years. These reflections occurred to me incessantly; yet my pride (your Lordship will excuse me) steeled me against the salutary counsels they suggested. Reason, no less than Religion, painted out the various horrors of my situation in the most forcible light, my pride, however, taught me to oppose the influence of both; and I determined to act like a man of spirit, let the consequence be never so fatal, either to my temporal peace or to my eternal felicity.

Not to trespass unnecessarily on your Lordship's patience, I repaired with a heavy heart to the place of appointment, and waited scarce a second for the appearance of my enemy. His looks sufficiently bespoke the anguish of his mind; but he was equally bigotted with myself to the novelty of that Moloch, modern honour, and equally resolved to worship him with blood. We could both of us, I am confident, have embraced with the utmost cordiality; yet, to behave spiritedly, it was indispensably requisite to attack each other's lives. Our courage might be suspected if we hesitated, even a moment, at a fashionable murder, and we therefore fired to purchase the good opinion of the world, though at the absolute expence of our own. My ball, thanks to the mercy of God, did no mischief; my antagonist's was more effectual; I received a wound so as to be in a state of the greatest danger for three months; and, in less than twelve, saw the father whom I reverenced, and the woman whom I adored, carried to the grave, in consequence of what they suffered during the afflicting interval of my cure. Oh, my Lord, the scorn of a thousand worlds would have been elysium to what I felt on that dreadful occasion! How often did I wish that nature had formed me with a disposition the most dastardly that ever fell to the lot of her meanest sons! If I flew to reason for comfort, she told me that I had despised her best advice; if I turned to religion, she bid me remember how I had trampled on her gravest admonitions. Pride only appeared with a gleam of soothing consolation; she told me that I had acted as became a man of honour, and had spiritedly demanded satisfaction for an unpardonable affront. It was true, I had *demanded* satisfaction; yet what satisfaction had I *received*? If I was grossly insulted at first, I was now irreparably injured, and clearly saw that, though I might have behaved very gallantly, the behaviour was nevertheless madness, which could think lasting misery an effectual remedy for imaginary disgrace.

In the superstitious ages of the world, my Lord, when men absurdly believed that Providence interposed immediately in favor of the party injured, a decision of a dispute by personal combat was not altogether ridiculous; but in these more enlightened times, when the sun of science has rapidly dispelled the clouds of enthusiasm, a continuation of so Gothic a custom is a scandal upon the human understanding. No preternatural interposition is now expected to give a certain triumph to the person wronged; no, my Lord, the aggressor and the aggrieved are upon equal terms; and, as in your case, no less than in mine, the latter has often the most melancholy cause to be *dissatisfied*, where he is even *indulged* with the most *honourable satisfaction*. It is justly observed, by a very clever writer, that though men may live fools, they cannot die such: Your Lordship and I have been both upon the verge of eternity, and therefore, with respect to the point of honour at least we may be supposed to possess a little share of understanding: Give me leave, therefore, to ask you seriously, whether any thing can be so absurd as the fashionable practice of duelling? We receive an affront, and we endanger our lives; we expose the long list of our friends to distress; we hazard all the glowing expectations of our tenderest social ties, all our dearest prospects in this world, and all our greatest in the next, to—to do what? I blush, my Lord, at my own question, punish some act of incivility that should excite our contempt, or some disrespect which is wholly below our indignation. The man who is not ready to apologize for any offence he offers another does not deserve to be considered as a gentleman; yet, supposing the case otherwise, the offence ought indeed to be deadly which induces us to take away a life. If it is of such magnitude as to require a bloody expiation, it should be left to the laws; and if it is not, we surely rebel against the majesty of our own hearts when we endeavour to wipe it away with blood.

In whatever light we look upon duelling, my Lord, I am persuaded you will concur with me in thinking that it is founded no less in folly than in barbarity. Where we are even the victors, what is our triumph? A triumph over humanity, a triumph over justice, a triumph over our families, our country, and our God. If our reason, therefore, is not alarmed at the very dangers attending this horrible custom, our pride should be roused at the charge of weakness, to which it exposes our characters. Few who go into the field have any wish to destroy the life of an adversary, yet all must unavoidably expose their own: Our universal study is to set a just value upon this blessing; yet our universal practice is to treat it as an object of the slightest consideration. A sour look, a haughty accent, or an abrupt reply, are with us motives enough to take a life at any time; in fact the life of an English gentleman is the only thing in which he seems to have the least property; make an attempt on his estate, and he seeks a judicial remedy; set fire to his house, and he seeks a judicial remedy also; but if you tread upon his toe, or doubt his veracity, no law can give him redress; his life must be instantly hazarded to procure satisfaction, and the moment another becomes rude, he is obliged to be desperate. Thus situated, he meets his adversary (as every feeling man must be an adversary) with an infinitely greater share of apprehension for consequences than of a passion for revenge: Though he wants fortitude to do what he wishes, yet he musters up courage to do what he abhors, and is brave enough to kill perhaps his dearest friend, because his cowardice is too excessive to oppose the ridiculous tyranny of a despicable custom.

Seriously, my Lord, is the good opinion of the world worth enjoying upon conditions like these? In my opinion, it is not; and if honour is something that must be gratified at the expence either of justice or humanity, I am convinced that it is not very honourable. We all acknowledge the propriety of this reasoning, yet we all continue the abject slaves of a custom we detest. What a glory would it, therefore, be to your Lordship, whose character for personal bravery is so thoroughly established, if you associated with a few sensible young men of quality, to rescue us from a tyranny so barbarous! You owe your country much for risking so valuable a life as your own, and this would be an exalted method of discharging the obligation.

I know, my Lord, that many elegant writers are apprehensive that if duelling was once abolished, a custom additionally dangerous would be immediately adopted in its room. The judicious author, particularly, who has obliged the world with the principles of penal law, asks in his chapter upon duelling, "Whether it is not "to be feared that the propensity of our natures to revenge would "substitute the more fatal, and the more odious practice of assassination?" For my part, I think not; and for the very reason which he himself assigns to shew the inefficacy of declaiming against duelling. "Of little avail (says he) it is to object that true honour "depends not on the prejudices of the people, but hath its source "in the heart; that it is more courageous to resist the absurd "tyranny of custom than to submit to it; that the defence of honour "is not placed in occasional appeals to the sword and the pistol, but "in a life of integrity and virtue; that when a fencing school is "made the court of justice, there is no law but violence, no argu-"ment but murder. All these assertions (concludes our author) "may be true, but the most solid reasoning is received as mere "declamation, when opposed to the impetuosity of passion, or the "*fear of shame*. "When *shame* (says he in another place) is the "consequence of obedience to law, the sword of justice loses its "terrors. Hence the duellist kills his friend whom he loves, and "the judge condemns the duellist, while he scarcely knows how in "his own heart to disapprove his behaviour." Surely, my Lord, if *shame* is so very irresistible as to *force* us into *duelling*, it would be equally powerful to keep us from *assassination*; if *shame* is necessary to make us seek for *honourable* reparation, it would certainly be sufficient to save us from the infamy of a *dastardly* revenge.—It would unquestionably be as efficacious on the side of law, prudence, humanity, as upon the side of injustice, absurdity and blood; nothing, therefore, my Lord, is wanting but a generous association among a few young men of rank, to root out the custom of duelling.—If such an association was once established, and if the members only made it publicly known that they would never admit a man into their company who either refused to apologize for an offence he had given, or required the life of a fellow creature as an atonement for an affront, the most salutary consequences would speedily result to society. It is better, my Lord, that there should be no redress at all for insults than to adopt a mode of redress, if redress it only be called, which accumulates the injuries of the party insulted. Many are the associations to improve the opera, to encourage race horses, and to preserve the game: For the love of Heaven, my Lord, let there be one association to

to the patriotic, virtuous King, the august, incorruptible Parliament, and wise-disinterested ministry of Britain. I am lost in the contemplation of their private and public virtues. I disbelieve and forget—nay, will readily believe the assertion, that the monarch of the Britain is a sullen and inexorable tyrant, the Parliament venal and corrupt, and the Ministry abandoned and bloody, as wicked and base calumnies. I am not able to express the feelings of my soul on the prospect of immediately seeing my native country blessed with peace and plenty. I am almost induced to complain of Congress for concealing one moment these glad tidings; however I will anticipate the pleasure, and claim thanks from all lovers of peace for thus early communicating what may be relied on as literally true.—Yours, &c., "TOM TELL-TRUTH.

"*Baltimore, February 20, 1777.*"

Immediately upon the publication of this article, a committee of the Whig Club called upon Mr. William Goddard, the editor and publisher, and demanded the name of the author, which he refused to give. After taking him by force from his printing-office to the rooms of the club, they on the 4th of March,

"*Resolved*, That Mr. William Goddard do leave this Town by twelve o'clock to-morrow morning, and the County in three days. Should he refuse due obedience to this notice, he will be subject to the resentment of a LEGION."

Disregarding the notice of a "Legion," he refused to leave the town, and on the 25th was mobbed in his office and threatened with a coat of tar and feathers.

He hastened to Annapolis and petitioned that body for protection, and on the 11th of April, after examining the "report of the committee of grievances," they

"*Resolved, unanimously*, That every subject in this State is entitled to the benefit and protection of the laws and government thereof.

"*Resolved*, That this house highly disapprove of any body of men assembling or exercising any of the powers of government without proper authority from the Constitution.

"*Resolved*, That the proceedings of the persons in Baltimore Town, associated and styled the Whig Club, are a most daring infringement and manifest violation of the Constitution of this State, directly contrary to the Declaration of Rights, and tend in their consequences (unless timely checked) to the destruction of all regular government.

"*Resolved, unanimously*, That the Governor be requested to issue his Proclamation declaring all bodies of men associating together or meeting for the purpose of usurping any of the powers of government, and presuming to exercise any power over the persons or property of any subject of this State, or to carry into execution any of the laws thereof, unlawful assemblies, and requiring all such assemblies and meetings instantly to disperse.

"*Resolved*, That the Governor be requested to afford the said William Goddard the protection of the law of the land, and to direct the Justices of Baltimore County to give him every protection in their power against all violence or injury to his person or property.

Resolved, That Mr. Speaker be requested to communicate the above resolutions to the Governor, and that the above resolutions be published in the Maryland *Gazette*."

In accordance with these resolutions, Governor Johnson, on the 17th of April, issued his first proclamation, and the first vindication of the liberty of the press in Maryland. It reads as follows:

"A PROCLAMATION.

"By His Excellency Thomas Johnson, Esq., Governor of Maryland.

"WHEREAS, the Honorable House of Delegates have unanimously requested me to issue my Proclamation, declaring all bodies of men associating together, or meeting for the purpose, and usurping any of the powers of government, and presuming to exercise any power over the persons or property of any subject of this State, or to carry into execution any of the laws thereof, unlawful assemblies, and requiring all such assemblies and meetings instantly to disperse. Wherefore, I have issued this my Proclamation, hereby declaring all bodies of men associating together, or meeting for the purpose of usurping any of the powers of government, and presuming to exercise any powers over the persons or property of any subject of this State, or to carry into execution any of the laws thereof on their own authority, unlawful assemblies. And I do hereby warn and strictly charge and command all such assemblies and meetings instantly to disperse, as they will answer the contrary at their peril. And that due notice may be had of this, my Proclamation, and that no person may pretend ignorance thereof, the several sheriffs within this State are hereby commanded to cause the same to be made public in their respective counties.

"Given at Annapolis, this seventeenth day of April, seventeen hundred and seventy-seven.

"THO. JOHNSON.

"By his Excellency's command,

"R. RIDGELY, *Sec.*

"GOD SAVE THE STATE."[1]

As the spring opened, the urgent necessity of reinforcing the army became apparent; and Washington, on the 11th of April, addressed a letter to his

[1] William Goddard, the son of Giles Goddard, Postmaster of New London, Connecticut, was bred a printer, and established the first printing press at Providence, Rhode Island, in 1762, and soon after began the publication of a newspaper. Not meeting with success, he went to New York and published, with John Holt, the *New York Gazette and Post-Boy*. After the repeal of the Stamp Act, in 1766, he removed to Philadelphia, and became the partner of Joseph Galloway and Thomas Wharton, and on the 6th of January, 1767, issued the first number of the *Pennsylvania Chronicle*. It was the first paper, with four columns to a page, printed in the colonies. The paper being ably conducted, it obtained great circulation; but, owing to its tory tendencies and disputes among its partners, it suspended in February, 1773. William Goddard, being in great embarrassment, now removed to Baltimore, and, with the assistance of friends, on the 20th of August, 1773, commenced the publication of *The Maryland Journal and Baltimore Advertiser*. Upon the breaking out of the Revolutionary War, a plan of setting up a line of post-riders from New Hampshire to Georgia, in opposition to the Postoffice establishment of the British Government, attracted attention, and Goddard, entrusting his printing affairs to the care of his sister, Mary Catherine Goddard, journeyed throughout the colonies to promote the adoption of the measure. He was eminently successful; as the Whigs entered into the scheme with great readiness, and cheerfully subscribed the necessary funds. Goddard was appointed, by Congress, surveyor of the roads and comptroller of the offices, on the organization of the department; and on the retirement of Franklin, who was placed at its head, expected to succeed him as postmaster-general. To his great disappointment, Bache, son-in-law to Franklin, received the place; and Goddard resigned his situation in disgust. He resumed his residence in Baltimore, where his paper was still continued by, and in the name of, his sister, but abandoned his political principles. After his troubles with the Whig Club, in 1777, we hear no more of him until 1779, when the publication in the *Journal* of certain queries again excited the ire of the club, and caused a great ferment. He was variously employed until 1784, when he appeared as the proper proprietor of the *Journal*. In 1790, he became involved in a bitter controversy with Christopher Hughes, which terminated in a libel suit. In 1792, Mr. Goddard sold his press, and retired to a farm in Rhode Island. He subsequently changed his abode to Providence, where he continued to reside until his decease, in 1817, aged seventy-seven years. His sister, Mary C. Goddard, remained in Baltimore, and died there on the 12th of August, 1816, aged eighty years. William Goddard, late professor in Brown University, was a son of William Goddard.

friend, Governor Johnson, in which he said: "The latest accounts received respecting the enemy, rendered probable by a variety of circumstances, inform us that they are very busily engaged in fitting up their transports at Amboy for the accommodation of troops; that they have completed their bridge, and are determined to make their first push at Philadelphia. The campaign is therefore opening, and our present situation weaker than when you left us, forces me to entreat your utmost attention to the raising and equipping of the continental troops allotted to be raised in your State. I have waited in painful expectation of reinforcements, such as would probably have insured a happy issue to any attack I might have determined upon, and such as I had a right to expect had the officers faithfully discharged their duty.[1]

In accordance with the desire of Washington, Maryland raised five full regiments of infantry, in addition to the two she already had in the field. These seven regiments, with the German battalion, were divided into two brigades; the one composed of three regiments and the German battalion, was placed under the command of Chevalier Deborre, who had been appointed on the 11th of April a brigadier-general, and the other formed of the four remaining Maryland regiments was assigned to General Smallwood. These two brigades composed Major-General Sullivan's division. Washington's whole force fit for duty at Morristown was now about eight thousand men, all from the States south of the Hudson There were forty-three regiments; forming ten brigades, commanded by Brigadiers Muhlenburg, Weeden, Woodford, Scott, Smallwood, Deborre, Wayne, DeHaas, Conway and Maxwell. These were apportioned into five divisions of two brigades each, under Major-Generals Greene, Stephen, Sullivan, Lincoln and Stirling. The artillery was commanded by Knox, who had been made a brigadier-general of artillery while the congress was sitting in Baltimore. Sullivan, with his division, was stationed on the right at Princeton, while the rest of Washington's force was fortified in a strong position in the rear of the village of Middlebrook.[2]

GENERAL SULLIVAN.

As both armies had made every preparation for an active campaign, they waited with great impatience for the opening of the season when they should commence operations. On the 28th of May, Washington joined the army at Middlebrook, and immediately strengthened his position, to meet the advance of the enemy. On the 13th of June, General Howe marched in great force from Brunswick, as if pushing directly for Philadelphia. His advance guard halted at Somerset court-house, about eight or nine miles distant, while the main army took up a strong position along the line of the Raritan River, with

[1] Sparks, iv., p. 386.

[2] Washington's staff, at this time, consisted of his aides-de-camp Colonels Tench Tilghman, of Talbot county, Maryland, and Meade, of Philadelphia. His secretary was Colonel Robert H. Harrison, of Maryland, who was described as "one in whom every man had confidence, and by whom no man was deceived."

their right resting on Brunswick and their left on Millstone Creek, where they began to fortify. While stationed here, Howe endeavored, without success, to draw out Washington from his strong position and bring on a general engagement.

On the 29th of March, General and Admiral Howe received a letter from Charles Lee, formerly a British colonel, but now an American general, and a prisoner in the hands of the enemy. In this letter, which was only discovered eighty years afterwards, and never acknowledged by the Howes, lest they should be taunted with having failed, through the suggestions of a traitor, General Lee writes: "To bring matters to a conclusion, it is necessary to unhinge or dissolve, if I may so express myself, the whole system or machine of resistance, or, in other terms, congress government. This system or machine, as affairs now stand, depends entirely on the circumstances and disposition of the people of Maryland, Virginia and Pennsylvania. If the Province of Maryland, or the greater part of it, is reduced or submits, and the people of Virginia are prevented or intimidated from marching aid to the Pennsylvania army, the whole machine is dissolved, and a period put to the war, to accomplish which is the object of the scheme which I now take the liberty of offering to the consideration of his lordship and the general; and if it is adopted in full, I am so confident of the success that I would stake my life on the issue." By this "scheme," fourteen thousand men were "to clear the Jerseys and take possession of Philadelphia," and "four thousand be immediately embarked in transports, one-half of which should proceed up the Potomac and take post at Alexandria, the other half up Chesapeake Bay, and possess themselves of Annapolis." . . From these posts proclamations of pardon were to be "issued to all those who come in at a given day; and I will answer for it with my life, that all the inhabitants of that great tract southward of the Patapsco, and lying betwixt the Potomac and Chesapeake Bay, and those on the Eastern Shore of Maryland, will immediately lay down their arms. But this is not all. I am much mistaken if those potent and populous German districts, Frederick County in Maryland, and York in Pennsylvania, do not follow their example;" and thus congress cut off from its constituents, and Washington cut off from reinforcements, in "less than two months from the date of this proclamation, not a spark of this desolating war" would remain "unextinguished in any part of the continent."[1]

Information was now received by congress that a formidable army from Canada, under General Burgoyne, was approaching Ticonderoga; and Washington, fearing that it was the intention of the enemy to get possession of the Hudson River and the communication with Canada, and thus cut off the Eastern from the Southern States, he despatched Lord Stirling's and Sullivan's division across the Hudson to take a position at Peekskill. This movement was to have been followed by the whole army, and the commander-in-chief had himself proceeded some distance towards the Highlands by way

[1] G. W. Greene's *Life of Nathaniel Greene*, i., p. 387. Moore's *Treason of Charles Lee*.

of Morristown and Ramapo, when he received intelligence that Sir William Howe had embarked nearly his whole force on board the fleet, which had put to sea. Washington immediately retraced his steps, and recalling Stirling's division and Sullivan's Marylanders, the whole army pursued different routes to the Delaware, where he resolved to remain until he received further intelligence of the British fleet.

On the 31st of July, congress received a letter dated the 30th, from Brigadier-General Cæsar Rodney at Dover, Delaware; and one of the same date from H. Fisher at Lewistown, informing them that the enemy's fleet had appeared at the mouth of the Delaware, about four miles from the light-house. Congress immediately took the subject under consideration, and believing that the destination of the enemy was Philadelphia, ordered all the prisoners and stores to be removed from the city, and the guards to be strengthened over the prisoners at Lancaster and York, and also "Resolved, That the militia of the States of New Jersey, Pennsylvania, Delaware and Maryland be immediately called forth to repel any invasion of the enemy in the said States." On the same day, President Hancock addressed the following letter to the General Assembly of Maryland:

"The Congress have this day received intelligence that the fleet of the enemy, consisting of two hundred and twenty-eight sail, have arrived at the offing in the capes of Delaware, and are standing in for the bay with a fair wind. No doubt therefore can remain that the city of Philadelphia is the object of their destination and attack. Upon this occasion there is no necessity of using arguments to animate you—it is sufficient to mention the importance of this city to all America, and that the preservation of it will be attended with the most extensive consequences in favor of our country. I must therefore most ardently entreat you to call out your militia with the utmost expedition, that they may be in readiness to repel any invasion of your State, or to assist in the defence of the State of Pennsylvania which is immediately threatened with an attack from the enemy. I beg leave to request your attention to the enclosed resolve of Congress on the subject, and your compliance with it."

As the destination of the enemy was then thought to be no longer in doubt, Washington marched his army to Germantown, where it would be in readiness to defend Philadelphia, while he hastened forward to Chester.

General Sullivan's division, which was stationed at Hanover, in New Jersey, made a gallant attempt, on the 22d of August, to capture a force of one thousand Jersey loyalists, encamped on Staten Island. For this purpose Sullivan divided his division into two columns; the first, under General Smallwood, was to cross at Halsey's Point, and attack Buskirk's regiment of British regulars, which lay near Decker's Ferry. The second, under General Deborre, with two regiments of Marylanders, and one company of New Jersey militia, under Colonel Frelinghuysen, were to land south of Freskill's, and drive the enemy to their intrenchments, near Prince's Bay. Upon General Deborre arriving at the place of embarkation he found but six boats, and dividing his brigade into two detachments, took three boats each. Colonel Ogden, who commanded one detachment, was to attack Colonel Lawrence, at

the "Old Blazing Star Ferry," and Colonels Dungan and Allen, who lay about two miles from each other, towards Amboy. The other detachment was commanded by General Deborre, accompanied by Major-General Sullivan, who was to attack Colonel Barton, near the "New Blazing Star Ferry," and after capturing or routing this party, was to assist Colonel Ogden. All the troops crossed over to Staten Island without being perceived. Colonel Ogden and General Deborre completely surprised the enemy, and after a short contest captured both Colonels Lawrence and Barton, with several of their officers and men. From a mistake of Smallwood's guide, who led him, in the obscurity of the night, in front, instead of to the rear of Buskirk's regiment, the regulars became aware of their presence on the island; and, following them to the boats, attacked the rear guard left to pick up stragglers from the ranks. The guard "sold themselves dear," it is said, and after vigorous resistance and some loss, about two hundred of Smallwood's "very best troops" were compelled to surrender. Sullivan brought away with him from the island twenty-eight civilians. Judge Marshall says: "The enterprise was well planned, and, in its commencement, happily executed;" "but the boats were insufficient." The result of the expedition subjected General Sullivan to much censure, and finally resulted in an investigation by a court of inquiry, composed of Generals Stirling, McDougall and Knox, and Colonels Spenser and Clark. Owing to the absence of General Smallwood, whose testimony General Sullivan desired, and who was in Maryland, the court was not held until the 12th of October, "and, upon the maturest consideration of the evidence in the possession of this court, General Sullivan's conduct in planning and executing the expedition, was such, that, in the opinion of the court, he deserves the approbation of the country and not its censure."[1]

Sullivan, after his descent on Staten Island, received orders to join the main army at Philadelphia, and in one week he moved three thousand men from Hanover to the Elk, one hundred and thirty miles. A letter written by William Eddis, then in New York, to Governor Eden, dated 23d July, 1777, gives the following interesting account of affairs in Maryland:

"The temper of the leading Men in Maryland still continues to be guided by a Spirit of Rancour and violence; they appear confident of succeeding in their favorite Scheme of Independence, & of establishing their own Importation on the Ruins of the British Constitution; But if Conclusions may be drawn from favorable Appearances, the Majority of the people are disgusted with the conduct of their Rulers, and ardently wish for a Restoration of legal Government.

"In the late Elections for Senators and Assembly Men, a striking evidence appeared of the above Observation; Several who were chosen into the first Body declined serving,

[1] On the 16th of September, the Maryland and Delaware delegates in Congress requested that body to remove General Sullivan and place the Maryland and Delaware troops "under the command of some other major-general." Upon the ayes and nays being called, it was decided in the negative: New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Virginia, North Carolina and South Carolina, voting "no;" and Maryland and Delaware voting "aye." Georgia was divided.

and when their Number was completed, the lower House waited several days, unable to proceed to business on account of the Absence of divers Senators whom fear or Consciousness of their Error, kept from the Scene of Action.

"The Assembly Men were returned by a very inconsiderable Number of the People, a plain Indication that the Inhabitants in general were disgusted with the measures pursued.

"S. Chace & J. Brice were elected for Annapolis, by three voters only, viz. Chas. Wallace, John Ducket, & Woodcock the Musician. Jere. Chace and John Smith were sent for the Town of Baltimore by about 50 Votes; and not 100 Persons polled for the whole County, notwithstanding the Books were kept open for that purpose four days. The other Counties proceeded in the same manner & the Persons returned were in general so very obscure, that even S. Chace observed that Six Gentlemanlike Persons could not be found in the Catalogue.

"The Eastern Shore has for some time been much suspected of the high Crime of Toryism, and in February last a report prevailed that many persons in Somerset & Worcester Counties were actually in Arms. General Smallwood, at the head of about 500 men, with a Company of Artillery, crossed the Bay in order to reduce them to obedience and issued a Proclamation which I have enclosed for your Excellency's Perusal.

"Before Mr. Smallwood's arrival at the Place where an Opposition was expected, the People were dispersed, and on Inquiry, it appeared that a Dispute between the Churchmen and the Dissenters had given Rise to this Commotion. That altho' a Flag with G. R. had been raised by the former, the Insurgents had been almost altogether unarmed, and probably only meant to oppose the vindictive Republican Spirit of their Presbyterian Neighbors. It was, however, thought necessary to strike at the Root of any Attempt that might be formed to disturb the Establishment of their State. Accordingly many Persons were apprehended and sent to Annapolis for trial; Others who were suspected were obliged to take Oaths of Allegiance, and in appearance, before their troops left that part of the Province, the dreaded Insurrection was effectually suppressed. The Rev. Mr. Bowie was banished soon after to Frederick County, but Dr. Cheney was reserved for a formal trial, which he had not received while I remained in the country.

"The Bill passed for Payment of Sterling Debts with Congress and Convention Money will be attended with the most distressing Consequences to many Persons, especially to the friends of Government, who have large sums upon loan. Several of the Senate, whether from Principle or Interest, I know not, expressed without Doors, their highest Disapprobation of this Act, but only Carol, of Carolton, had resolution to oppose it in the proper place. He animadverted on the injustice thereof, and protested against the same being passed into a law, but his objections procured him no great reputation, as it was generally believed that he was not altogether actuated by sentiment alone.

"The Assessment Bill, which your Excellency will observe to be excessively oppressive, with respect to the mode of collecting, as well as the enormous tax itself, has created the utmost discontent throughout the province, and I verily think, in the end, will conduce to the confusion of the framers, and open the eyes of the misguided multitude to see and to pursue their proper interest.

"The bills to prevent the growth of toryism, in its original state was rigid to a violent degree; but met with such Opposition in the Upper House that, after being carried backwards & forwards several times, it at length passed in the present form. Col. Plater, Joseph Nicholson and Turbot Wright were for admitting the Bill without Alteration.

"You know, Sir, it has long been popular in this Country to Exclaim against Administration on account of the Number of Officers, and the Salaries, Fees, &c., granted for their Support; but most true it is, that exclusive of Army & Navy Appointments, the Persons

now employed, greatly, very greatly exceed every former establishment, and if their Paper can be supposed of any real value, the present Rulers most amply reward the Laborers in their Vineyard. How the Planter and the Farmer, who suffer every degree of want and inconvenience from this unnatural war, can submit so tamely to the rapacity of their despotic leaders, is an astonishing reflection, but that they have submitted in the most abject manner, the inclosed list of articles, with their prices, will sufficiently evince.

"In framing Mr. Johnson's council some difficulties arose. Divers persons, who were chosen, declined the honor intended them, notwithstanding the allowance made for their services greatly exceeded former custom. The gentlemen who at length accepted, are, Colonel Lloyd, Major Sim, Thomas Sim Lee, John Rogers, etc. Mr. Polk, of the Eastern Shore. In days of old, the utmost interest was requisite to procure a very moderate support, but in these disinterested times the greatest offices of State are rejected by the Majority of Persons to whom they have been offered. After Mr. Holliday and others had refused the Department of Chancellor, Mr. Richard Sprig was prevailed on to act in that Station until a Gentleman could be found better qualified to discharge the important Duties thereof. He accordingly, for some time before I left Maryland, signed & sealed all civil & Military Commissions issued in the Name of that State, what as, it immediately succeeded the modelling of their Government, were very numerous.

"The Post of Attorney General has been offered to Mr. Jenings, but he had not accepted when I quitted the Provinces. He had, however, in his Capacity as Major, taken the Oaths required by the new Constitution. Whatever were his Motives, his Complyance gave Pain to many of his Friends.

"Mr. Johnson issued his Proclamation for the Assembly to meet on the 11th of June, and it was expected that much business would be transacted during the Sitting. S. Chace, who continues indefatigable in the grand cause of sedition, had been employed previous to their Meeting in framing a Bill to apply the Quit Rents, and other Public Funds, to the support of Rebellion, and it was the general opinion he would carry his point with a high hand, and I make not the least doubt, unless they are intimidated by some Capital success attending His Majesty's Arms, they will speedily proceed to the Confiscation of Estates and Property belonging to absentees and others attached to the British Constitution.

"Mr. Dulany's situation has at times been exceedingly disagreeable. At Baltimore, Himself, his Lady and Daughter with several of his friends were very grossly insulted by the Whig Club, who ordered them to leave the Town immediately, and the Province within three days, or their Lives should answer for their Refusal. These Gentry for a considerable time, took upon themselves to issue their Mandates, and to expel in a formal Manner any person or persons whose political Sentiments they were pleased to disapprove. Above three Months they supported their Authority without Opposition, banished divers Inhabitants of the Town, and it was with difficulty this formidable Legion were at length reduced to Moderation by a vigorous Exertion of their legislative Authority.

"Annapolis has assumed a very different Appearance since Your Excellency left it. They have formed a Battery from Mr. Walter Dulany's Lot round the water's edge to the Granary adjoining Your Garden; the Cannon are mostly 18 pounders, the works appear strong, & I am told are so. From your Wharf to the hill where Callihorne lived they have thrown up a covered way to communicate with that part of the Town adjacent to the Dock. They have another Fortification on Hill's Point & a third on Mr. Kers' Land, on the North side of Severn, on a high Cliff called Beaumont's Point. Three Companies of Artillery are stationed at the respective Forts, and in spite of Experience they talk confidently of making vigorous Resistance in case of an Attack.

"At Baltimore they have fortified Whetstone's Point, of the strength of which they boast much. They have sunk several vessels in the Channel and a chain is placed across the harbor. A Frigate, mounting thirty-six guns and called the *Virginia* has been

built at the said place, the Command of which is given by Congress to Nicholson, and a Mr. Cook, related to Mr. Johnson, is promoted into the *Defence*, besides the above Ships, they have fitted out several Galleys which make a formidable appearance, but, I am well assured, can be of little Service except in smooth Water, at the Entrance of Rivers. A very great part of the Troops lately raised in Maryland are Convicts and Servants in consequence of an Act 'that persons under Indentures, &c., and had only a limited season to serve, were at liberty to enlist, their Masters being paid in proportion to the Residue of their time.' This plan, though it procured them many recruits, greatly prejudiced their Cause, numbers of the Men so raised seizing every opportunity to desert, so that Orders have been issued to be particularly guarded how persons under such Circumstances are received into the American Service.

"The Mortality which has prevailed among the Provincial Troops is incredible. A vast number of those raised in Maryland brought back with them the Camp fever & died prodigiously fast. The Church yard, the back of the Poor House and a Piece of Land which is enclosed in the Folly, are crowded with melancholy proofs of Calamity. Medicines there are little or none in the Country, and every appearance seems to indicate plainly the most dreadful of all Punishments, War, Pestilence and Famine.

"Previously to the unhappy affair at Trenton, the general Disposition of the Colonies tended towards a Reconciliation with Great Britain on almost any terms. In Maryland the persons attached to Government began to breathe with Freedom, and the precipitate Retreat of the Congress to Baltimore was universally expected to be succeeded by an immediate acquisition of Philadelphia; but the surprise of the Hessian Post, however trifling it might have been thought in a regular war, was attended with the most prejudicial consequences to His Majesty's arms. It gave spirits to the demagogues, recruited their forces, and enabled their leaders to magnify, in the most exaggerating terms, the amazing advantages that would arise from this unexpected incident. The congress soon after returned in a kind of triumph to their usual rendezvous."[1]

Washington at this time was watching the enemy, and anxiously waiting to hear from the British fleet, as he was uncertain whether it had gone to the South or East. Soon, however, the mysterious movements of the enemy were disclosed, when, on the morning of the 20th of August, the British fleet, consisting of upwards of two hundred and sixty sail, passed Annapolis, moving up the bay. The governor immediately summoned his council and submitted to their consideration the question "whether the small number of militia already in town should be kept, others called in and preparations made with a view to defend the place, or the town and forts evacuated, and the guns and stores endeavored to be removed and secured." After some discussion, the governor and council, with the advice and consent of Major Fulford, of the artillery, "were unanimously of opinion that Annapolis cannot be defended by any force which may probably be collected against the force the enemy may at any time bring against it, and that, therefore, the town and forts ought to be evacuated and the guns and stores removed and secured." Preparations were immediately made to evacuate the place, and all the books, records, etc., were removed to a place of safety. In the meantime all the women and children, servants and slaves were ordered to leave the town at once. It was ordered,

[1] London Public Record Office, American and West India papers, No. 204.

"That such persons who have not signed the association, nor emitted and do not instantly take up arms, depart the town, and be not seen within ten miles thereof after the end of five hours. And those who have associated and are within the ages of persons compellable to bear arms, immediately take arms; and, if they have not of their own, those of the public shall be delivered to them." Express was immediately dispatched to congress, informing it of the invasion of the State.

The fleet, after passing Annapolis, entered the Patapsco and made a feint towards Baltimore—coming to anchor on the 21st of August, off Bodkin Point. On the following day it weighed anchor and proceeded up the bay, and on the 25th, after a voyage of thirty-three days, it anchored in Elk River, six miles below Elkton, Cecil County, and fifty-four miles from Philadelphia.

Congress received intelligence of the invasion of Maryland on the 22d, and at half-past one o'clock, President Hancock communicated the news to Washington, as follows: "This moment an express arrived from Maryland with an account of near two hundred sail of General Howe's fleet being at anchor in the Chesapeake Bay. In consequence of this advice, congress have ordered the immediate removal of the stores and prisoners from Lancaster and York, in this State, to places of greater safety." Washington immediately wrote to General Rodney, who commanded the Delaware militia, "For the present you can do no more than keep scouts and patrols towards the enemy, to watch their motions; but as soon as you are joined by more force from this State, by the militia of the Eastern Shore of Maryland, and by Richardson's Maryland battalion, I would have you move as near the enemy as you can with safety."[1]

In the meantime, on the 22d, Messrs. Jones, Chase and Roberdeau, a committee of congress, reported the following resolution, which was adopted: "Resolved, That it be earnestly recommended to the State of Maryland immediately to call out not less than two thousand select militia, to repel the expected invasion of the States of Pennsylvania, Delaware and Maryland; that twelve hundred and fifty of the militia on the Western Shore of Maryland repair, as soon as possible, to Baltimore and Hartford Towns; that seven hundred and fifty of the militia on the Eastern Shore repair, as soon as possible, to Georgetown, on Sassafras River, there to wait the directions of Washington." "To arrange, march and command" the militia required of Maryland, Brigadier-General Smallwood and Colonel Mordecai Gist were ordered to proceed immediately to the State. In pursuance of these instructions, Washington ordered Colonel Gist to organize the militia on the Eastern Shore, and General Smallwood on the Western.

On the 22d of August, Governor Johnson issued the following proclamation, calling out the militia of the State:

[1] Sparks, v., pp. 41-46.

"A PROCLAMATION.

"This State being now actually invaded by a formidable land and sea force, and the enemy, in all probability, designing to land somewhere near the head of this bay, I have, in order to collect a body of militia to be ready to act with the continental army, which may soon be expected to meet the enemy, thought proper to issue this, my proclamation, hereby requiring and commanding the county lieutenants, the field and other proper officers of the militia of the Western Shore of this State, immediately to march at least two full companies of each battalion of the militia to the neighborhood of Susquehanna river, in Cecil and Harford counties, where they shall receive orders. To defend our liberties requires our exertions; our wives, our children, and our country, implore our assistance: motives amply sufficient to arm every one who can be called a man.

"Given at Annapolis, this 22d day of August, in the year of our Lord 1777.

"THO. JOHNSON.

"By his Excellency's command.

"T. JOHNSON, JUN., *Sec.*

"GOD SAVE THE STATE."

From all sections of the State the volunteers flocked to the head of the bay, and placed themselves under the command of General Smallwood, for the purpose of cutting off any marauding parties which might be sent out for horses and forage, and to threaten and harass the rear of the enemy, when their march to Philadelphia should commence. General Rodney's Delaware, and Colonel Richardson's Maryland militia, were ordered to co-operate with Smallwood.

The scarcity of arms in Maryland was now severely felt. The militia manifested the greatest spirit; and although the numbers required by congress did not take the field, yet more tendered their services than could be armed. A large number thus situated were ordered to return to their homes, as there were not sufficient arms in the State to supply them.

As soon as Washington received intelligence of the arrival of the enemy in the Elk, he took up his line of march southward, and on the 24th of August, passed through Philadelphia by the way of Front and Chestnut streets, and proceeded without delay to Wilmington, Delaware. There was a large quantity of public and private stores at the head of Elk, under the charge of Colonel Levi Hollingsworth, of Maryland, quartermaster and commissary of the post, which he feared would fall into the enemy's hands if they moved quickly. The Delaware militia and Richardson's battalion had been early posted at the head of Elk, and upon the approach of the enemy they pressed into service all the teams within reach, and secured the greater part of the stores, only leaving several thousand bushels of corn and oats, which fell into the hands of the enemy.[1]

[1] On the 27th of August, a large body of the enemy entered the Gunpowder River, and after landing and plundering the farmers in the neighborhood of Swann Creek, took up their line of march for Joppa. The eighth battalion of Harford county militia soon assembled, and threw up a small fort, armed with four-pounders. The enemy finding they could not capture the place without some resistance, abandoned the undertaking. A small force of the enemy also burnt the Cecil county court-house.

Benjamin Rumsey, on the 27th of August, addressed the following letter to Governor Johnson:

General Howe, with about seventeen thousand men, had effected his landing by the 26th of August, and formed it into two divisions. One, under Sir William Howe, was stationed at Elkton with its advanced guard at Gray's Hill, about two miles off. The other division, under General Knyphausen, was on the opposite side of the ferry, at Cecil Court House. The inhabitants were in the greatest alarm, and intent on hurrying off their most valuable property, so that it was difficult to procure cattle and vehicles to remove the public stores. The want of horses, and the annoyances given by the Cecil and Harford County riflemen under William Paca and other patriots, kept Howe from advancing promptly, and gave time for the greater part of the stores to be saved. The militia also hovered around his flanks and rear and captured many stragglers and prowlers who were plundering the farmers in their line of march.

GENERAL HOWE.

To allay public alarm, and to insure immunity for his stragglers, General Howe issued, on the 27th of August, the following

"Declaration to the inhabitants of Pennsylvania, the lower counties on the Delaware, and the counties on the Eastern Shore of Maryland:

"Sir William Howe, regretting the calamities to which many of his Majesty's faithful subjects are still exposed by the continuance of the rebellion; and no less desirous of protecting the innocent, than determined to pursue with the rigors of war all those whom his majesty's forces, in the course of their progress, may find in arms against the king: Doth hereby assure the peaceable inhabitants of the province of Pennsylvania, the lower counties on the Delaware, and the counties of Maryland on the eastern shore of Chesapeake Bay, that in order to remove any groundless apprehensions which may have been raised of their sufferings by depredations of the army under his command, he hath issued the strictest orders to the troops for the preservation of regularity and good discipline; and

"MR. RUSSELL'S, HEAD OF NORTH-EAST.

"*Sir*—Observing from the bay side, yesterday, that the troops were landing in Elk River, I posted over, in order to be of what service I could; and upon my arrival to-day at the head of North-East, where there is an advanced guard, two men (Wirtenbergers) came in. They say they deserted from the enemy, and were originally pressed into the service; that they have been at Rhode Island about six weeks; that no more than the regiment of Anspach and two English regiments were left at Rhode Island, and three Hessian regiments at New York; that the fleet is composed of twenty ships-of-war, ten or twelve double-deckers, and two hundred and eighty transports. Another deserter informs me, that Generals Howe, Cornwallis and Grant are with this body, and Lord Howe with the fleet.

"They are, at present, stationed from Elk Ferry towards the head of Elk on this side the river, and take up about two miles in extent, and no more when they march three deep in battle array. They have taken all the Cecil records and destroyed them; they plundered the country within a mile of this place; have not as yet injured anyone's person. There is about one hundred men under arms; not above sixty-two men at this place and Charlestown. If your Excellency will forward arms to this place, three hundred men more in this battalion would immediately turn out. As matters are, if they move this way, the men are too weak to resist them, and must fall back towards Susquehannah. I imagine all the battalions are as defective in point of arms. They say the English will march by the way of the head of the Elk, and that Philadelphia is their object. I am your Excellency's most humble servant,

"BENJAMIN RUMSEY.

"P.S.—They receive all negroes and servants, and promise them fine clothes, etc., as an inducement."

has signified that the most exemplary punishment shall be inflicted upon those who shall, dare to plunder the property or molest the persons of any of his Majesty's *well disposed subjects.*

"Security and protection are likewise extended to all persons, inhabitants of the province and counties aforesaid, who (not guilty of having assumed legislative or judicial authority,) may have acted illegally in subordinate stations, and conscious of their misconduct, been induced to leave their dwellings: Provided such persons do forthwith return and remain peaceably in their usual place of abode.

"Considering, moreover, that many officers and private men, now actually in arms against his Majesty, may be willing to relinquish the part they have taken in this rebellion, and return to their due allegiance,

"Sir William Howe doth therefore promise a free and general pardon to all such officers and private men as shall voluntarily come and surrender themselves to any detachment of his majesty's forces, before the day on which it shall be notified that the said indulgence shall be discontinued.

"Given under my hand, at head quarters of the army, the 27th of August, 1777.

"By His Excellency's command,

"ROBT. McKENZIE, *Secretary.*"

Having arranged all his plans, General Howe, on the 3d of September, began his march to Philadelphia, the American army retreating slowly before him. On the same day, Washington addressed a letter to Governor Johnson, in which he calls attention to the resolutions adopted by congress, appointing General Smallwood and Colonel Gist to arrange and command the militia lately called to the field, and the frequent applications he had to send officers to the Eastern Shore to arrange the militia. He said there was the want of a head in that part of the State to conduct matters properly, and under the circumstances, if the governor had not appointed a general officer to command that portion of the State, he begged leave to mention John Cadwalader, Esq., to his consideration, a gentleman he knew "to be a judicious, valuable officer, and I have often regretted that he did not hold a high command in the army of the States." Mr. Cadwalader did not accept an appointment, but assisted in raising and forwarding the militia.

And on the 1st, Washington writes to the President of congress:

"I have received no particular accounts respecting the Maryland Eastern Shore militia; from the best information I have, a great many are well-disposed to turn out, but are prevented from giving their aid through the want of arms. Apprehending that the militia there would stand in need of an officer to arrange them, I wrote to General Cadwalader, requesting his good offices, which I am told have been exerted. Colonel Gist is now gone down, and I expect will move as soon as possible, with such as are armed, towards the enemy. General Smallwood is gone to take command of those on the Western Shore, of whom I hear many are collecting."[1]

On the 11th of September, the two opposing armies, after constant skirmishing, took up their positions on the banks of the Brandywine, near Chad's Ferry, about thirty miles south of Philadelphia. General Howe, with the main portion of his army, was at Kennett Square, seven miles south of the Brandywine. Washington, on the north side of the river, with his centre at

[1] Sparks, v., p. 52.

Chad's Ford, on the direct route to Philadelphia, had about eleven thousand poorly armed men, mostly militia. General Maxwell commanded the left, down the river; Sullivan the right, above, having under him, besides his own division, composed of the two Maryland brigades, those of Generals Stirling and Stephen, with Hazen's regiment stationed three miles higher up. Knyphausen, with his column of the British army, early on the morning of the 11th marched to Chad's Ford, and began a furious cannonade at the Americans, on the other side of the river, for the purpose of occupying their attention while Howe and the column of Lord Cornwallis moved up the Lancaster road, crossed above and came down on the flank of Sullivan.

The following letter written by Colonel John H. Stone of the first Maryland regiment, to William Paca, of Chestertown, gives a clear and authentic account of this affair from one who was actively engaged in it:

"*Camp in Philadelphia, County Schuylkill,*
"*September 23d, 1777.*

"*Dear Sir*—I received yours by Mr. Foreman, and will give you an account of the engagement of the 11th instant. In the morning about six o'clock, the enemy appeared on the opposite side of the Brandywine, on which a brisk cannonade ensued, but with little execution on either side. The enemy did not appear numerous, and began to intrench themselves, by which we readily concluded their main body was taking another route. To be certain of this, light horse was dispatched to scour the country; but unfortunately for us, their discoveries did not give us the proper intelligence. General Washington ordered General Maxwell to cross the ford with his light corps and attack the enemy, which he did with success. His Excellency then gave orders for the greatest part of the army to cross the several fords, but before this order was put in execution it was countermanded. In this situation things remained till near three o'clock in the afternoon, when certain accounts were brought to his Excellency, that the enemy had crossed the Brandywine four or five miles above the right of our army; their numbers were not known. Three divisions of our army were immediately ordered to march and meet them, but the enemy had got possesion of the most advantageous grounds, and drawn within one and a-half miles of our right before we marched. General Sullivan, Lord Stirling, and General Greene's division marched to oppose the enemy, and perhaps might have routed them if things had been properly managed. Our division marched to join Lord Stirling, who was on the ground where the enemy appeared, and where they seemed to intend their attack; by the time we reached the ground, they had begun to canonade the ground allotted for us, which was very bad, and the enemy within musket shot of it, before we were ordered to form the line of battle. I marched in front of General Sullivan's division, when I received orders from him to wheel to the left and take possession of a rising ground about 100 yards in our front, to which the enemy were marching rapidly. I wheeled off, but had not marched to the ground before we were attacked on all quarters, which prevented our forming regularly, and by wheeling to the left it doubled our division on the brigade immediately in the rear of the other. Thus we were in confusion, and no person to reduce us to order, when the enemy pushed on and soon made us all run off. Of all the Maryland regiments only two ever had an opportunity to form, Gists's and mine; and as soon as they began to fire, those who were in our rear could not be prevented from firing also. In a few minutes we were attacked in front and flank and by our people in the rear. Our men ran off in confusion and were very hard to be rallied. Although my men did not behave so well as I expected, yet I can scarcely blame them, when I consider their situation; nor are they censured by any part of the

army. My horse threw me in the time of action, but I did not receive any great injury from it. Lord Stirling's division, who were attacked at the same time we were, and routed at the same time. We retreated about a quarter of a mile and rallied all the men we could, when we were reinforced by Greene's and Nash's corps, who had not till that time got up. Greene had his men posted on a good piece of ground, which they maintained for some time, and I dare say did great execution. At this time the enemy, who were left at the fords, crossed, which was after five o'clock, when firing began from almost every quarter, and I expected a general and bloody action. The enemy, however, moved with caution, which gave those who were obliged to give way, an opportunity to make their retreat in safety. Never was a more constant and heavy fire while it lasted; and I was much amazed when I knew the numbers that were killed and wounded. We did not lose one thousand men, officers and all, to speak say. I lost twenty-three privates and two sergeants killed, wounded and taken, and one captain (Ford) wounded; he will recover. Never was a more favorable opportunity for us: fortune seemed in the morning to count us to victory and honor; but the scene was much changed in the evening. Had our intelligence been as good as it ought to have been, or had we crossed the fords when General Washington first ordered it, it is almost as certain as that two and two make four, that the whole British army would have been routed, and, perhaps, this war ended. General Howe played a deep but dangerous card. He left about two thousand men to guard the fords opposite to us, and marched their main army round for more than ten miles, so that the two parties had not any connection or dependence on each other. If we had crossed, the two thousand men must inevitably have fallen into our hands, which would have reduced the enemy's strength so much, that before this time they would all either have been captives or driven from this land; upon the whole I do not think we have lost anything by that day. My manner of carrying on this war would be so different from the present system that I should frequently expect to be driven from the ground. We ought to attack them everywhere we meet them. By this method it would make our men soldiers, and be constantly reducing the enemy, and ensure us success in a few months. We are now within four miles of Pottsgrove, on the Schuylkill; the enemy are about as many miles below on the other side. You may expect to hear of an engagement every day. General Wayne and General Smallwood's camps were surprised a few nights ago, by a party of the British light-horse. Our men were put in confusion, but no great damage done."

The Marylanders fought the battle of Brandywine under great disadvantages. Both Sullivan and Deborre were unpopular with the men, if not actually disliked by them; and Smallwood and Gist, their two most popular leaders, were absent in Maryland. In addition to these misfortunes, a misunderstanding occurred upon the field between Sullivan and Deborre, which necessarily increased the confusion. Deborre, imperfectly acquainted with the English language, disobeyed orders, and shortly afterwards when about to be court-martialed, resigned. Sullivan, for his bad generalship, was for a while relieved of his command; but after the lapse of a short time, congress, at the request of Washington, reinstated him.

The result of the battle of the Brandywine created the greatest consternation in Philadelphia, only twenty-six miles off. Many of the citizens, in their alarm, abandoned everything and took refuge in the interior of the State. Congress ordered all the military stores, bells, printing-presses, types, etc., to be removed from the city to a place of safety, and on the 12th, ordered

"expresses to be immediately sent to Brigadier-General Smallwood and Colonel Gist, directing them to come forward with all possible dispatch with the continental troops and militia under their respective commands to reinforce General Washington's army; and that for greater dispatch they disencumber themselves of all heavy and unnecessary baggage." They also summoned the Virginia, New Jersey and Pennsylvania militia to join the main army without delay, and ordered fifteen hundred continental troops from Putnam's command on the Hudson. They also clothed Washington with power to suspend officers for misbehavior; to fill up all vacancies under the rank of brigadiers; to take all provisions and other articles necessary for the use of the army, paying or giving certificates for the same; and to remove, or secure for the benefit of the owners, all goods and effects which might otherwise fall into the hands of the enemy and be serviceable to them. These extraordinary powers were limited to the circumference of seventy miles round head-quarters, and were to continue sixty days, unless sooner revoked by congress.

General Howe remained inactive after the battle of Brandywine, and Washington quietly retreated through Derby on the 12th across the Schuylkill to Germantown, within a short distance of Philadelphia, where he gave his fatigued troops a day's rest. On the 14th, he re-crossed the Schuylkill and advanced along the Lancaster road with the intention of once more giving battle to the enemy. The two armies confronted each other on the 16th, near Warren Tavern, twenty-three miles from Philadelphia. Here Donop and his Hessians, and Wayne, had a slight engagement, but before the battle became general a violent storm of rain set in, which continued all the following day. The Americans, from the poor quality of their accoutrements, had their cartridges drenched, and the rain penetrated the ill-fitted locks of their muskets, so that Washington was obliged to retire.

Congress, now taking the alarm upon the near approach of General Howe, on the 18th of September, 1777, adjourned to Lancaster, where they assembled on the 27th. After a session of three days, they again adjourned to York, where they met on the 1st of October.

Two days after the adjournment of congress from Philadelphia, General Wayne was detached with his division to get in the rear of the enemy near French Creek, and form a junction with General Smallwood and Colonel Gist, who were advancing from Maryland; the former with eleven hundred and fifty Western Shore militia, and the latter with seven hundred from the Eastern Shore, and with these troops endeavor to cut off Howe's baggage and hospital train. Wayne, by a circuitous march, got within three miles of the left wing of the enemy, encamped at Trydraffin, and concealing himself in a wood, waited the arrival of Smallwood and his militia. General Howe receiving intelligence of his presence, sent General Grey in the night with a strong force to surprise him. About midnight the enemy rushed upon Wayne's encampment at the point of the bayonet, took his troops conpletely by surprise,

and killed, wounded, and took prisoners at least three hundred of his men. General Smallwood, who was to have co-operated with Wayne, was within a mile of him at the time of this attack, but his raw militia were seized with a panic and fled upon the approach of the enemy. The continentals rallied at a small distance from the place of the first rout, but the enemy drew off without renewing the action, and Wayne and Smallwood rejoined the main army.

This surprise at Paoli opened the way of the enemy to Philadelphia, and on September 25th Cornwallis, with his grenadiers, took possession of that city. Immediately after the battle of Brandywine, Admiral Howe, with his fleet, sailed for the Delaware, where he expected to arrive in time to co-operate with the land forces in and about Philadelphia. In noticing their movements in the Chesapeake, the Maryland *Gazette* observes:

"Last Sunday morning (September 13) a number of the enemy's fleet were seen standing down our bay with a fair wind; their destination is supposed to be for Delaware. On their first appearance off the mouth of Patapsco River it was thought that an attempt might be meditated against this town. In that case it is with pleasure we can inform our readers we are well prepared to give them a warm reception. The fort, batteries and boom at Whetstone Point are in excellent order; a furnace is erected on the point, from which red-hot thunderbolts of war will issue to meet our invading foes. All valuable effects, together with the women and children, are chiefly removed out of town to places of safety; and our brave countrymen flock in great numbers to our assistance, so that a resolute and determinate stand may be expected whenever these lawless plunderers shall think proper to invade us."

To prevent the assent of the fleet in the Delaware, a double set of chevaux-de-frise were placed across the channel of the river; one seven miles from Philadelphia, just below the mouth of the Schuylkill, and protected by Fort Mercer, at Red Bank, on the New Jersey shore, and one at Fort Mifflin, on Mud Island. At Philadelphia, the river was protected by the American flotilla, composed of one frigate, smaller vessels, galleys, floating batteries, etc. On the 27th of September the British fleet approached the city, and on the ebb of the tide the American frigate grounded, and fearing a fire from the land, surrendered. On the 2d of October, a party of the enemy crossing the Delaware at Chester, the garrison at Billingsport spiked their guns and hastily fled. A panic seemed to prevail all along the river; the militia, who were to defend Red-Bank, disappeared, and those of New Jersey refused to do duty; while from the forts and flotilla there were frequent desertions.

In the midst of this general despondency, Washington again had recourse to his favorite troops, and detached Lieutenant-Colonel Samuel Smith, of Baltimore, with some Maryland artillery, to occupy Fort Mifflin, on Mud Island. Colonel Christopher Greene, of Rhode Island, was placed in command of Fort Mercer, at Red Bank. Commodore Hazlewood had charge of the flotilla.

Having received intelligence, through two intercepted letters, that General Howe had detached a part of his force for the purpose of reducing Billingsport and the forts on the Delaware, Washington called a council of

war of his officers, and they decided to make an immediate attack upon the enemy, who were stationed in and around Germantown. At nine o'clock on the night of October 3, 1777, the American army left Matuchen Hills, on the Skippack, for a night march of fourteen miles. At daybreak the next morning, the right wing, under General Sullivan, composed of his own division, consisting of the seven Maryland battalions and Hazen's regiment, and Wayne's division, flanked by Conway's brigade, and followed by Washington, with the brigades of Nash and Maxwell, under Lord Stirling, as the reserve, came in collision with the advanced post of the British, at Chestnut Hill, about two miles north of the village of Germantown. While these troops were to attack the enemy in front, General Smallwood and Colonel Gist, with the Maryland, and Forman, with the New Jersey militia, were to gain the old York road by a circuitous route, and reaching the enemy's encampment by a road leading to the Germantown market-house, were to attack the right wing in front and rear. Greene's and Stephen's divisions, flanked by McDougall's brigade, formed the left wing of the army, and were to attack in the front; while General Armstrong, with the Pennsylvania militia, were to pass down the Ridge road, and crossing a creek, to turn the left flank, and attack in the rear. A regiment from Conway's brigade and one from the second Maryland, piloted by Captain Allen McLane, a brave Delaware officer, were in advance, and struck the enemy's pickets at Allen's house, near Mount Airy. These they soon drove in upon the main line of the enemy, who were formed in their encampment in an orchard, ready to receive the Americans. General Conway, perceiving the situation of the enemy, immediately advanced his brigade to the support of his skirmish-line, which he held with great resolution until Sullivan's division was formed to support him. The whole line now advanced in gallant style, and with such resolution, that the British light-infantry broke and retreated, after a close and sharp action of fifteen or twenty minutes. The encampments fell into the hands of the Americans, who now followed up their victory by pressing them on all sides.

"They, however, made a stand at every fence, wall and ditch they passed, which were numerous. We were compelled to remove every fence as we passed, which delayed us much in pursuit. We were soon after met by the left wing of the British army, when a severe conflict ensued; but, our men being ordered to march up with shouldered arms, they obeyed without hesitation, and the enemy retired. * * *

"At Chew's house, a mile and a-half from where the attack began, Wayne's division came abreast with mine and passed Chew's house, while mine were advancing on the other side of the main road.

"Though the enemy were routed, yet they took advantage of every yard, house and hedge in their retreat, which caused an incessant fire through the whole pursuit. At this time, which was near an hour and a quarter after the attack began, General Stephen's division fell in with Wayne's on our left, and soon after, the firing from General Greene's was heard still further to the left. The left wing of our army was delayed much by General Greene being obliged to countermarch one of his divisions before he could begin the attack, as he found the enemy were in a situation very different from what we had been before told. The enemy had thrown a large body of troops into Chew's house,

which caused Maxwell's brigade to halt there with some artillery to reduce them. This was found very difficult, as the house being stone, was almost impenetrable by cannon, and sufficient proof against musketry.

"The enemy defended themselves with great bravery, and annoyed our troops much by their fire. This, unfortunately, caused many of our troops to halt, and brought back General Wayne's division, who had advanced far beyond the house, as they were apprehensive lest the firing proceeded from the enemy's having defeated my division on the right. This totally uncovered the left flank of my division, which was still advancing against the enemy's left. The firing of General Greene's division was very heavy for more than a quarter of an hour, but then decreased, and seemed to draw farther from us. . . A regiment commanded by Col. Matthews advanced with rapidity near the town; but, not being supported by some other regiments, who were stopped by a breastwork near Lucan's mills, the brave colonel, after having performed great feats of bravery, and being dangerously wounded in several places, was obliged, with about a hundred of his men, to surrender.

"My division, with a regiment of North Carolinians commanded by Colonel Armstrong, and assisted by part of Conway's brigade, having driven the enemy a mile and a-half below Chew's house, and finding themselves unsupported by any other troops, their cartridges all expended, the force of the enemy on the right collecting to the left to oppose them, being alarmed by the firing at Chew's house so far in their rear, and by the cry of a light-horseman on the right, that the enemy had got round us, and at the same time discovering some troops flying on our right, retired with as much precipitation as they had before advanced, against every effort of their officers to rally them. When the retreat took place, they had been engaged near three hours, which, with the march of the preceding night, rendered them almost unfit for fighting or retreating. We, however, made a safe retreat, though not a regular one; we brought off all our cannon and all our wounded. Our loss in the action amounts to less than seven hundred, mostly wounded. We lost some valuable officers, among whom were the brave General Nash and my two aides-de-camp, Major Sherburne and White, whose singular bravery must ever do honor to their memories.[1] Our army rendezvoused at Pawling's Mills, and seemed very desirous of another action. The misfortunes of this day were principally owing to a thick fog, which being rendered still more so by the smoke of the cannon and musketry, prevented our troops from discovering the motions of the enemy or acting in concert with each other."[2]

[1] Besides the loss of these gallant officers, Maryland lost some of her most distinguished sons. Major James Cox, while "nobly defending his country's cause, having repulsed the enemy, driving them from their breastworks, received a ball through his body, by which he expired."—See letter in *Chronicles of Baltimore*, p. 165.

General Smallwood, in a letter to Governor Johnson, said: "Captain Cox, of Baltimore, a brave and valuable officer, with Lieutenant Crost, of Johnson's regiment, and several other brave officers and men, were killed within twenty paces of the enemy's lodgment, before they were dispossessed of it."—*Ibid.*, p. 166.

Samuel Chase, in a letter from York, dated October 10, 1777, to the Governor, informs him that Colonel John H. Stone was shot through the ankle, and was left at John Kialy's, who lived at the 32-mile stone from Philadelphia, in Limerick township; and was attended by Drs. Craig, Cochran and Wallace, and his brother. His wound disabled him from further service in the army. Major Uriah Forrest had his thigh broken by a musket ball, which finally compelled him to have his leg amputated. Captain Brook "received a ball through his mouth, which split his tongue and went out at the back of his jawbone." Captain Bowie was wounded slightly in the shoulder. Colonel Hall and Captain Lawrence were slightly wounded, and Colonel Marbury missing.

[2] Letter of General Sullivan to Meshech Weare, President of New Hampshire, dated "Camp at White Marsh, 25th October, 1777."—Sparks, v., p. 463.

In this engagement, Major John Eager Howard commanded the 4th Maryland regiment. Lieutenant-Colonel Hall, the commanding officer, while "riding one way and looking another, the horse ran with him under a cider-press, and he was so hurt that he was taken from the field."—Letter of Major Howard to Colonel Pickering. Sparks, v., p. 468.

Thus, it will be seen the battle of Germantown was substantially won, when the Americans, notwithstanding every effort of their officers to rally them, turned away from victory absolutely in their grasp. The ammunition of Sullivan's division—forty rounds to a man, had been exhausted by three hours of incessant combat. Want of efficient organization were fatal elements of weakness and disaster, and the fog, dense with the smoke of artillery and musketry, and of piles of straw and brushwood, kindled by the British to increase the confusion, still further prevented concert of action. The heavy firing in their rear at the Chew House, and a parley sounded there to summon a surrender, by some misinterpreted as a signal of retreat, has been also suggested in explanation of the event of the day. These causes, with those mentioned in Sullivan's report of the engagement, produced a panic, "which first took possession of Wayne's men, and then of others of the right wing." It spread rapidly. The retreat became general, but, soon reduced to some degree of order, was effected without loss.[1]

After the disaster at Germantown, Washington withdrew his army to Perkiomen Creek, a distance of twenty miles. To give his army rest, he remained here a few days, and was reinforced by two hundred militia from Maryland, five hundred from Virginia, and a small number from Pennsylvania and New Jersey. The Virginia militia had rendezvoused at Frederick, and were from the Counties of Prince William, Loudon, Fairfax, Culpeper, Frederick, Fauquier, Berkeley and Dunmore. Encouraged by these reinforcements, Washington drew nearer to Philadelphia, and took a strong position at White Marsh, within fourteen miles of the city.

Howe, finding it difficult to feed his army in the beleaguered city, determined to open a passage for his fleet up the Delaware. For this purpose he began to construct redoubts and batteries on Province Island, on the west side of the Delaware, within five hundred yards of Fort Mifflin, and mounting them with heavy cannon.

Early in October, a number of Washington's obstructions in the river, upon which he mainly counted to complete the harassment of the enemy, and perhaps finally compel them to evacuate the city, were materially impaired. The works at Billingsport had been attacked and destroyed, and some of the enemy's ships had forced their way through the obstructions placed there, and captured the *Delaware*, frigate, as has been mentioned before.

Lieutenant-Colonel Samuel Smith made all haste to put Fort Mifflin in a state of defence, as did Colonel Greene with Fort Mercer, as it was the great

[1] Washington, in his report to Congress, says: "In justice to General Sullivan and the whole right wing of the army, whose conduct I had an opportunity of observing, as they acted immediately under my eye, I have the pleasure to inform you that both officers and men behaved with a degree of gallantry that did them the highest credit."—Sparks, v., p. 80. Amory's *Life of General Sullivan*, p. 64.

Smallwood's division of Maryland and Forman's (New Jersey) militia did not form a junction with Greene's division; for just as they arrived on the right flank of the enemy, and were about to carry their encampment, the panic seized the other portion of the army, causing them to retreat.

object of the Howes to reduce and destroy, and that of Washington to maintain these remaining forts. On the 22d of October, the enemy under Count Donop made an attempt to carry Fort Mercer by assault, but was driven off with the loss of about four hundred killed and wounded. Count Donop was himself mortally wounded. Lieutenant-Colonel Smith had kept up a brave defence against batteries erected by the enemy on the Pennsylvania shore, and at the time Fort Mercer was assaulted it was attacked by water. The force employed was the *Augusta*, of sixty-four guns; the *Roebuck* of forty-four, two frigates, the *Merlin* sloop of eighteen guns and a galley. After an incessant cannonade, with the assistance of the American fire-ships, the *Augusta* and *Merlin* were destroyed and the others driven off.

These signal repulses did not, however, discourage the enemy, for they immediately made preparations for further attempts upon Forts Mifflin and Mercer. On the 10th of November the siege began. Colonel Smith, doubting the competency of the feeble garrison to defend the fort against so strong a fire, wrote to Washington, and the latter, in a letter dated the 12th, said he was "sorry to find the enemy's batteries had played with such success against our works. Nevertheless, I hope they will not oblige you to evacuate them. They are of the greatest importance, and I trust they will be maintained to the last extremity. I have written to General Varnum to afford you immediate succor, by sending fresh troops to relieve those now in the garrison, and also such numbers of militia as he may be able to prevail on to go to your assistance. With these, every exertion should be used for repairing in the night whatever damage the works may sustain in the day. The militia are principally designed for this end, and they are to be permitted, every morning, to return to Red Bank, if such shall be their choice. General Varnum will furnish all the fascines and palisadoes he can. You may rest assured that I will adopt every means which our situation will admit, to give you relief." [1]

Washington's instructions were faithfully obeyed, but an incessant cannonade and bombardment for several days defied all repairs. The block-houses were demolished, the palisades beaten down, the guns dismounted, the barracks reduced to ruins. A large portion of the garrison was killed and wounded, and the survivors were exhausted by want of sleep, hard duty and constant exposure to the rain. Colonel Smith himself was disabled by severe contusions, and obliged to retire. The fort was in ruins, but the heroic little garrison stood the fire without flinching. "The batteries on Province Island enfiladed the works. The ships in the inner channel approached so near as to throw hand-grenades into the fort, while marines stationed in the round-tops stood ready to pick off any of the garrison that came in sight. The scene now became awful; incessant firing from ships, forts, gondolas and floating batteries, with clouds of sulphurous smoke, and the deafening thunder of cannon. Before night there was hardly a fortification to defend; palisades were shivered, guns dismounted, the whole parapet levelled. There was

[1] Sparks, v., p. 143.

terrible slaughter, most of the company of artillery was destroyed." To hold out longer was impossible, and everything that could be carried away without too much exposure was taken to Red Bank, and the remnant of the garrison, after setting fire to what was combustible of the fort they had so nobly defended, crossed to Red Bank by the light of the flames.[1] The loss of the fort was deeply regretted by Washington, though he gave high praise to the officers and men of the garrison. In a letter to the president of congress, dated White Marsh, 17th November, 1777, he says:

"I am sorry to inform you that Fort Mifflin was evacuated the night before last, after a defence which does credit to the American arms, and will ever reflect the highest honor upon the officers and men of the garrison. The works were entirely beat down; every piece of cannon dismounted, and one of the enemy's ships so near, that she threw grenades into the fort and killed men upon the platforms, from her tops, before they quitted the Island."[2]

As a reward of his gallantry, Lieutenant Colonel Samuel Smith was presented with a sword by congress, and Major Fleury, his French engineer, received the commission of lieutenant-colonel.

General Howe followed up the reduction of Fort Mifflin by an expedition against Fort Mercer, which still impeded the navigation of the Delaware; and Washington, finding it hopeless to defend the fort against the large force that was marching against it, abandoned the works, which were immediately destroyed by the captors.

On the 4th of December, Washington received intelligence of the advance of the enemy, who meditated an assault upon his camp at White Marsh. Washington would not be decoyed from his strong position, but sent out skirmishers to watch their movements. Several sharp encounters occurred at Edge Hill and elsewhere, in which the Maryland militia, under Colonel Gist,[3] and Morgan's riflemen, did good service. In the skirmish on the 7th of December, Gist had sixteen or seventeen militia wounded, and Morgan twenty-seven killed and wounded.

[1] Irving, ii., p. 310.

[2] Sparks, v., p. 151.

[3] Mordecai Gist, son of Captain Thomas Gist and Susan Cockey, was born in Baltimore Town, in 1743. He was educated at St. Paul's Parish School, Baltimore County, and at the breaking out of the Revolution, was a merchant, doing business on Gay street. His ancestors were early emigrants to Maryland, and took an active part in the affairs of the province. Christopher Gist was of English descent, and died in Baltimore County, in 1691. His wife was Edith Cromwell, who died in 1694. They had one child, Richard, who was surveyor of the Western Shore, and was one of the commissioners in 1729, for laying off Baltimore Town, and was presiding magistrate in 1736. In 1705, he married Zipporah Murray. Christopher Gist, one of his sons, because of his knowledge of the country on the Ohio, and his skill in dealing with the Indians, was chosen to accompany Washington on his mission in 1753, and it was from his journal that all subsequent historians derive their account of that expedition. Christopher Gist, the son of Richard, married Sarah Howard, the second daughter of Joshua and Joanna O'Carroll Howard, and had four children, Nancy, who died unmarried, and Thomas, Nathaniel and Richard. Christopher, with his sons Nathaniel and Richard, was with Braddock on the fatal field of Monongahela, and for his services received a grant of 12,000 acres of land from the King of England. It is said that Thomas was taken prisoner at Braddock's defeat, and lived fifteen or sixteen years with the Indians in Canada. Richard married and settled in South Carolina, and was killed at the battle of King's Mountain. He has descendants living in that

After a number of unsuccessful efforts on the part of the enemy to force Washington from his strong position, and bring on a conflict, in December, 1777, the American army—a large portion of it barefooted and without blankets—went into winter quarters at Valley Forge.[1]

On the 19th of December, General Sullivan was relieved of the command of his division, composed of the two Maryland brigades, and General Smallwood placed in command, with orders to proceed to Wilmington, Delaware, and put "the place in the best posture of defence." He was directed by Washington not to "let any neglect or deficiency on his part impede" his operations, and was "vested with full power to seize and take (passing receipts) such articles" as were wanted. He was also exhorted "to keep both officers and men to their duty, and to avoid furloughs, except in cases of absolute necessity," and was to use his utmost endeavors to collect all stragglers from both of his brigades, and to use his best endeavors to get the men clothed in the most comfortable manner.[2]

State. Thomas, after his release from captivity, lived with his father on the grant in Kentucky, and became a man of note, presiding in the courts till his death, about 1786. General Nathaniel Gist married Judith Carey Bell, of Buckingham County, Virginia, a grandniece of Archibald Carey, the mover of the Bill of Rights in the Virginia House of Burgesses. Nathaniel was a colonel in the Virginia line during the Revolutionary War, and died early in the present century, at an old age. He left two sons, Henry Carey and Thomas Cecil Gist. His eldest daughter, Sarah Howard, married the Hon. Jesse Bledsoe, a United States Senator from Kentucky, and a distinguished jurist; his grandson, B. Gratz Brown, was the Democratic candidate for vice-president in 1872. The second daughter of General Gist, Anne (Nancy), married Colonel Nathaniel Hart, a brother of Mrs. Henry Clay. The third daughter married Dr. Boswell, of Lexington, Kentucy. The fourth daughter, Eliza Violetta Howard Gist, married Francis P. Blair, and they ware the parents of Hon. Montgomery Blair, ex-postmaster-general, and General Francis P. Blair, Jr. The fifth daughter married Benjamin Gratz, of Lexington, Kentucky.

Mordecai Gist was a member of the Baltimore Town non-importation committee in 1774, and in December of the same year, was captain of the first company raised in Maryland. In January, 1776, he was made major of Smallwood's battalion, and commanded the regiment at the battle of Long Island, in August, 1776, in the absence of its colonel and lieutenant-colonel. In 1777, he was promoted to colonel, and made brigadier-general January 9th, 1779. He was present at the surrender of Cornwallis, and after the war settled near Charleston, South Carolina. General Gist was married three times. His first wife was a Mrs. Carman, of Baltimore County, who died shortly after marriage. His second wife was Miss Sterrett, of Baltimore, who died in giving birth to a son. His third wife was Mrs. Cattell, of South Carolina. She also bore him a son. One of the boys was named Independent, the other, States. General Gist died at Charleston, August 2d, 1792.

[1] General Washington, in a letter to Governor Johnson, dated "Valley Forge, December 29, 1777," says: "We had in camp, on the 23d inst., by a full return then taken, not less than 2 890 men unfit for duty, by reason of their being barefooted and otherwise naked. Besides this number, there are many others detained in hospitals and crowded in farmers' houses for the same causes."

[2] Sparks, v., p. 191.

During the winter, a committee of congress, composed of Messrs. Charles Carroll, of Carrollton, Dana, Reed, Folsom and Gouverneur Morris, visited the camp at Valley Forge to consult with Washington, and, in conjunction with him, mature a new system of army regulations. Messrs. Carroll, Chase and Penn had visited the army in September, and reported to congress its deplorable situation for the want of shoes and clothing.

CHAPTER XXIV.

THE capture of General Burgoyne and his army at Saratoga on the 16th of October, 1777, by General Gates, secured the exchange of a large number of distinguished American officers who were prisoners in the hands of the British. Among those exchanged were General Charles Lee, Colonel Ethan Allen and Major Otho Holland Williams, of Maryland. Major Williams was born in Prince George's County, in March, 1749. His parentage was highly respectable, his ancestors emigrating from Wales, after Lord Baltimore became proprietor of the province, and he being of the third generation after their settlement in Maryland. His parents, Joseph and Prudence Williams, lived some time in Prince George's County, but they removed in the year 1750, and settled at the mouth of the Conecocheague, which empties into the Potomac River at the place where the town of Williamsport now stands and where the pioneers erected a fort to protect them from the Indians.

MAJOR OTHO H. WILLIAMS.

Mr. Joseph Williams died, leaving but a small property to seven children, two sons and five daughters. Otho, at the age of thirteen, was placed by his father (shortly before his death) with his brother-in-law, Mr. Ross, in the clerk's office of Frederick County. Here he remained several years, diligently occupied in studying the duties of the bureau, and when he was duly qualified, took charge of it himself, for awhile, and then removed to a similar situation in Baltimore. He was now about eighteen years of age, nearly six feet high, elegantly formed, his whole appearance and conduct manly beyond his years, and his manners such as made friends of all who knew him.

Thus endowed, in the spring of 1774, he returned to Frederick Town and entered into commercial life. On the 14th of June, 1775, when congress asked for soldiers, we have seen that a few days afterwards he marched to the American camp at Boston, as first lieutenant of Captain Price's company of Frederick riflemen.

Soon after his arrival before Boston, he was promoted to the command of his company, In 1776, a regiment was formed of the several rifle companies from Virginia and Maryland; Stevenson, of Virginia, was appointed colonel, Rawlings, of Maryland, lieutenant-colonel, and Williams, major.

The regiment (in the absence of the colonel) was among the sufferers at the fall of Fort Washington, on the Hudson River. Rawlings, who commanded, was wounded early in the action, and the command devolved upon Major Williams. He shared the fate of his regiment, who, after a desperate struggle, were taken prisoners.

He was sent to New York, where he was permitted to go at large on his parole, while his troops were confined in sugar-houses and prison-ships. For awhile it was customary with some of the British officers then in possession of New York, to stroll among the American officers, and in a derisive manner amuse themselves by asking them impertinent and insulting questions, such as "What trade were you of before you entered the service?" etc. A question of this sort being propounded by one of more rank than decency to Major Williams, he replied: "That he was in a profession which taught him to resist tyranny and punish insolence, and that proofs of his profession would follow a repetition of impertinence towards him." Sore with the retort, and unwilling to hazard the prompt remedy which on such occasions generally suggests itself, the coward basely fabricated a tale to General Philips, then the British commandant at New York, that Major Williams was in the habit of communicating to General Washington all the information to be collected from the British camp by means of emissaries employed for the purpose.

He was at once seized, and without one word of defence on his part being listened to, without being suffered to confront his accusers, he was suddenly removed to the provost's jail in New York. Here he was delivered to the tender mercies of harsh turnkeys, and confined in a room about sixteen feet square, without ventilation, and disgustingly filthy.

Among other prisoners, was the celebrated Ethan Allen, and he shared the miserable den in which Williams was confined. Their only visitors were wretches who came to glut their brutal curiosity, and to torture their victims with loud expressions of delight in the anticipation of seeing them hanged.

Letters complaining of such cruel treatment were repeatedly but vainly addressed to the commandant of New York, and they thus suffered for seven or eight months. Their health was much impaired, for their food was of the vilest sort, and scarce enough to keep soul and body together; and to add to other discomforts, the anxiety that preyed upon their minds was terrible in the extreme. The naturally fine constitution of Williams was much impaired, and he never recovered entirely from the effects of his imprisonment.

After the surrender of General Burgoyne's army, Colonel Wilkinson, adjutant-general to General Gates, proved his friendship by stipulating positively for Williams' release, and after a captivity of fifteen months, he was exchanged for his old friend Major Ackland, who had been taken prisoner with the British army. Major Williams, during his captivity, formed the acquaintance of Major Ackland, in New York, and they became firm friends.

It is related that on one occasion, while Major Williams was on parole in New York, after dining with Lady Ackland, his good friend the major and

he sallied forth for a ball, and that although the company were much struck with the elegant figures and demeanors of the two friends, and although the Briton made all efforts to introduce the captive, the gentlemen of the party could not forget the enemy to welcome the stranger, and the ladies treated him with extreme coldness. Ackland finding that all his efforts were vain, took Williams by the arm and led him from the room, saying: "Come, Williams, this society is too ill-bred for you and me; let us go home, and sup with Lady Harriet." This was not the only occasion on which Major Ackland proved his friendship and sympathy for Americans.

The fate of Ackland was a melancholy one, and such as he little deserved. After the War of the Revolution, and when he had returned to his own country, on the occasion of a dinner, the valor of American soldiers became the subject of conversation. On their merit being denied, Ackland defended them, and in the warmth of argument with a Lieutenant Lloyd, to some assertion of that officer, replied that he lied. The insult was of course unpardonable, and could only be settled by a duel, in which the noble and gallant Ackland was shot through the head. His wife, Lady Harriet, lost her reason, and continued deranged two years.

During Major Williams' captivity, his native State had not been unmindful of him. He had been appointed to the command of the Sixth Regiment of the Maryland Line, and he joined the army in New Jersey, shortly before the battle of Monmouth.[1] In urging his promotion, John Hanson, Jr.,[2] chairman of the Frederick County Committee of Safety, afterwards president of congress, in a letter to the governor and council, dated Frederick Town, January 17th, 1777, says:

"As Colonel Griffith has resigned his commission, and it is of the utmost importance that all vacancies in the army should be filled up with men of known value and merit, I beg leave, in behalf of the committee, to recommend Major Otho Holland Williams, as a gentleman well qualified to succeed Colonel Griffith. His military genius is conspicuous, and his character, as an active, good officer, is so well known and established, that it is altogether unnecessary to say anything in support of it. But his having early stepped forth in the service of his injured country, and marched, as an officer, in the first company that went from this province to the assistance of our army at Boston, where he continued

[1] On September 18th, 1779, the officers of the sixth Maryland regiment were: Colonel, Otho H. Williams; Lieutenant-Colonel, Benjamin Ford; Major, Henry Hardman; Captains, Harry Dobson, William Dent Beall, Alexander Trueman, Christian Orndoff, John Smith; Captain-Lieutenant, James Somervell; Lieutenants, Nathan Williams, John Jeremiah Jacob, James Bruff, George Jacob, Jacob Morris, Charles Beavin. Richard Donavan, Lieutenant and Adjutant; Edward Moran, Lieutenant and Quartermaster; Ensigns, John Lynn and Samuel Hamilton; Surgeon, Thos. Parron, with twenty-two sergeants, twenty-two corporals, fourteen drummers and fifers, and two hundred and seventy-five privates.

[2] John Hanson, the son of Samuel and Elizabeth Hanson, was born in Charles County, in 1715. He represented his county in the Lower House of Assembly for many years, when he removed to Frederick county, which he likewise represented. He took an active and distinguished part in the Revolutionary War, and held many prominent positions. He died November 22, 1783, aged sixty-eight years, at "Oxen Hill," Prince George's County, while on a visit to his nephew, Thomas Hanson. He married Jane Contee, daughter of Alexander Contee, and was the father of Alexander Contee Hanson, one of the Chancellors of Maryland.

until that place was evacuated by our enemies, and his noble and spirited behavior, on many occasions, particularly at Fort Washington, where he bravely fought and bled in the defence of our invaded rights, and is now bearing the ill-treatment of a haughty, insolent, cruel, brutish, and worse than savage enemy, merits particular notice and attention, and, in the judgment of the committee, entitles him to promotion. You will be pleased to remember that when the flying camp was ordered to be raised, Major Williams was appointed Colonel of this battalion, by an almost unanimous vote of the Convention. He was very sensible of the honor done him, but declined accepting the appointment, principally on account of the short enlistments of the flying camp, and the uncertainty of the officers being continued after the expiration of the time limited. But I have good grounds to assure your Honors if he is appointed now, under the present establishment, he will cheerfully accept it. Lieutenant-Colonel Rawlings, of the rifle battalion, which Major Williams is now in, will, it is presumed, succeed Colonel Stephenson (who is dead), and it may be assured that Major Williams will then be the oldest field-officer in the service of this State that has not been appointed to the command of a regiment. Several of the officers of this battalion express a desire that he should be appointed to command them; and, indeed, it is of no small concern to them and to the whole battalion, to be headed by an officer on whose courage, penetration and conduct they can with safety rely, and whose benevolent and humane disposition will ever prompt him to be mindful of their distresses, and afford them every relief in his power. Moreover, all ranks of people in this county entertain the highest opinion of him, and his appointment would give general satisfaction, and, probably, tend greatly to promote the recruiting service, which, I am sorry to find, goes on but slowly, owing, it may be presumed, in some measure, to its not being known who is to have the command of the battalion.

"Abstracted from the personal regard I have for Major Williams, founded on a knowledge of his amiable disposition, I most sincerely wish, for the good of the service, that he may meet with the approbation of your Honorable Board, and be appointed to succeed Colonel Griffith.

"I have the honor to be, with great esteem and regard,

"Gentlemen, your most humble servant,

"JOHN HANSON, JR., *Chairman.*"

On the 16th of March, 1778, in a letter written by Colonel Williams to the governor, complaining of the manner in which men were recruited in this State, he says: "I have not been able to obtain a state of the regiment which I expect the honor to command, but from the best information, learn there is not above an hundred effective men with Lieutenant-Colonel Ford, and that those are very indifferently clothed." He also says: "I heartily desire to join the army as soon as possible, but certainly it had better be reinforced by a regiment without a colonel, than by a colonel without a regiment."

During the remainder of Colonel Williams' sojourn in the Northern States, we do not learn that he was in any position to prove his skill as a soldier, excepting in those qualities which are too often underestimated by the public. His regiment, when he took command of it, was rather noted for looseness of discipline, and did not stand upon a mark with others of the line, but in a very short time, under Williams' prompt and active organization, it became equal, if not superior, in thorough discipline, to any in the whole army.

The Maryland and Delaware lines having been detached, and ordered to South Carolina soon after the reduction of Charleston, Colonel Williams

accompanied Baron de Kalb; and after General Gates took command of the army in July, 1780, he was called to the important post of deputy adjutant-general to the same. General Williams bore a distinguished part in the battle of Camden, which was fought on the 16th of August, and displayed great military ability in command of the rear guard at the battle of Guilford Court House, and shared with the commanding general in the bitter and trying adversity of that disastrous period.

General Gates never entirely recovered from the odium showered upon him by the result of the battle of Camden, and the consequences finally led to his displacement, and the appointment of General Greene to the command of the Southern army. General Greene soon discovered the superior abilities of Colonel Williams, and appointed him adjutant-general, as he had been deputy under Gates. In this high trust, he enjoyed the confidence of his general and the army, which he fully merited by his gallantry and strict attention to his duties. In every action—and they were numerous—he displayed tact, judgment and presence of mind. He gained great honor for his conduct in covering, with the rear guard which he commanded, the memorable retreat of the army through North Carolina.

He baffled every attempt of the enemy to bring on a general engagement, and by checking the enemy's advance, gained sufficient time to enable the main body of his army to secure its retreat. The preservation of that army has been justly attributed to him, for it was due to his firmness, coolness and able manœuvres. History shows the distinguished part borne by him in the battles of Guilford, of Hobkirk and Eutaw, in particular, where he led that celebrated charge, which gained him the highest honors of the day.

At a critical moment, General Greene issued the order, "Let Williams advance and sweep the field with his bayonets." Promptly was the order obeyed—the field was swept, but the victory was dearly bought.

Near the close of the war, he was sent by General Greene with dispatches to congress, and was, by that body, promoted to the rank of brigadier-general, as a reward for his gallant services.

Peace having been secured, he returned to his native State, and settled in Baltimore, and as some reward for his distinguished services, received the appointment, by the governor, of the collectorship of the port, the duties of which he discharged with the same exemplary fidelity which had attended his military career.

On the adoption of the present government of the Union, General Washington was called to the presidency, and, of course, continued Williams, with whose merit he was thoroughly acquainted, in his office, which he continued to hold as long as he lived.

In 1786, he was happily married to Mary, the second daughter of Mr. William Smith, a very wealthy and influential merchant, and his union was productive of the complete felicity he so well deserved. His habits of industry, economy and method, joined to the lucrative office he held, enabled him,

among much other property, to buy the old home of his father, on the banks of the Potomac, which, in the midst of the battle-field's "dreadful array," he had so often returned to in imagination. Here, in the year 1787, he was pleasantly employed in improving the condition of the farm, and in laying out the present town of Williamsport, called after his own name.

It was at one time thought that the seat of government would be at Williamsport, and there are several letters from the general's brother on the subject, and written in a very hopeful strain. One of these letters is of great length, and details an account of General Washington's visit to Springfield's farm (for such is its name), with speculations on the site of the Federal seat. On this letter General Williams has endorsed the words, "All a Hum," and Williamsport has remained to this day, rather a village than a city of magnificent distances.

So highly was he esteemed by General Washington, that in 1792, on the refusal of General Morgan to accept the actual rank of brigadier-general, General Knox, being then secretary of war, wrote to Williams that the president would be highly pleased to appoint him to the post, which would make him the eldest brigadier-general, and second in command, and he was accordingly actually so nominated. But this honor he positively declined in letters to the president and Secretary Knox, on account of ill-health and several family duties, and he also adds, it would be no stimulus to his ambition to be second in command. His illness still increasing upon him, he was induced, in 1793, to try the effect of sea air, and a voyage to Barbadoes afforded some benefit, but it was of very short duration.

In the next year, 1794, while on his way to the Sweet Springs, in Virginia, on reaching Millerstown, he became too ill to proceed farther, and on Tuesday, the 15th of July, in the 46th year of his age, he died, and his remains repose beneath a simple monument, crowning the summit of a hill on the banks of the Potomac, at his old homestead.

He left a widow and four small children, all sons. His amiable and disconsolate widow died within twelve months after his death. The eldest of the orphan sons, then six years of age, was named William Elie, after the grandfather and uncle; the second called Edward Greene, the third Henry Lee, after two distinguished favorite characters and contemporaries of the father, and the youngest bore his own name. They were all taken under the care of the grandfather, who bestowed upon them all the care and attention of an indulgent parent.[1]

The capture of General Burgoyne and his army also had a powerful effect on the cabinets of both England and France. The former feared that France would now espouse the cause of America, and in consequence Lord North hastened to introduce in parliament his "Conciliatory Bills." These measures passed with but slight opposition; and the English minister receiving intelligence that a treaty of amity and commerce was concluded between France and the United States, on the 6th of February, hurried off drafts of the bills

[1] *Sketch of General Otho H. Williams*, Maryland Historical Society, by Osmond Tiffany.

to America, to forestall the effects of the treaty upon the public mind. Another treaty, of defensive alliance, was signed in Paris a few days later by the French and American commissioners. These treaties were unanimously ratified by congress, and their promulgation was celebrated by public rejoicings throughout the country.

One of Lord North's bills authorized the appointment of commissioners clothed with powers to negotiate with congress, to proclaim a cessation of hostilities, to grant pardons, and to adopt other measures of a conciliatory nature. The commissioners, Frederick Howard, Earl of Carlisle, Governor Johnstone and William Eden, (afterwards Lord Auckland,) brother of Robert Eden, the last proprietary governor of Maryland, and their secretary, Dr. Adam Ferguson, (the celebrated author of *Roman History*,) arrived at Philadelphia on the 6th of June. Their mission was a fruitless one, all their efforts to effect a reconciliation proving ineffectual, and they embarked for England in disgust.

During the winter's cantonment at Valley Forge, Washington's equanimity and self-control seems to have been tried to the utmost. His description to congress on the 23d of December, of the suffering of the soldiers, nearly three thousand of whom were then unfit for duty, because without clothes or shoes, many obliged, for want of blankets, to sleep sitting around their miserable fires, and destitute of ordinary supplies, is eloquent in its pathetic simplicity. In the midst of these trying times, however, he sedulously applied himself to the formation of a new system for the army, and before the next campaign, with the aid of Baron Steuben, a distinguished German officer, he adopted many new reforms that were necessary.

By this time Howe's conduct of the war had given much dissatisfaction in England, and upon the tender of his resignation, it was promptly accepted, and Sir Henry Clinton ordered to relieve him. General Clinton arrived in Philadelphia on May 8, 1778, and on the 11th, took command of the army. Shortly afterwards he received orders to evacuate Philadelphia and concentrate his forces at New York; and on the 18th of June he crossed the Delaware with his whole army, consisting of seventeen thousand effective men. Immediately Washington called in all his outposts and marched in pursuit of the retreating enemy.

On the 27th of June, 1778, the British took up a strong position on high ground near Monmouth Court House, and on the same evening General Lee assumed command of Washington's advanced corps, at Englishtown, about five miles distant. When the enemy resumed his march, on the morning of the 28th, General Lee was ordered, as soon as their front should be in motion, to make an attack on their rear. After he had marced about five miles, Washington, who was bringing up his main body to support the advance, learned to his surprise and mortification, that Lee was retreating without having made any opposition to the enemy, except one fire from a party which had been charged by the British cavalry. This movement was the more alarming, as

General Lee, without giving any notice of his retreat, was marching his troops directly upon the rear division, to the imminent hazard of throwing the whole army into confusion, at the very moment, too, when the enemy were pressing upon it with unimpeded force. General Washington rode immediately to the rear of the retreating division, where he found General Lee, whom he accosted with a warmth of language which he rarely used, and in a manner indicative of the highest displeasure. He ordered Lee to reform his division and bring it immediately into action, which he promptly obeyed. The fortunes of the day were to be retrieved, if possible, by instant arrangements, as the enemy were within a few minutes' march. At this important crisis, Washington asked for an officer to check the advance of the enemy. Colonel Nathaniel Ramsey, of Baltimore, presented himself, and the commander-in-chief, taking him by the hand, said: "If you can stop the British ten minutes, till I form, you will save my army!" Colonel Ramsey answered: "I will stop them or fall!" This brave and meritorious officer then marched at the head of his men, engaged the enemy and held them in check for half an hour. He did not retreat until the enemy and his troops were mingled together; and at last, in the rear of his troops, fighting his way sword in hand, fell, pierced with many wounds, in sight of both armies.[1] It was not without difficulty that the order of battle could be restored in time to check the advance of the enemy. It was near night, however, when Patterson's division and Smallwood's brigade "had the pleasure of driving the enemy off the field of Monmouth."[2] And with the determination of renewing the contest the next morning, the American troops were directed to lie on their arms upon the field. Sir Henry Clinton had silently retired in the night towards Middletown, and before he could again be attacked, had reached Sandy Hook, where he embarked his troops on board the fleet which lay there in readiness to receive them, and thus were they conveyed again to New York. The American army then took up its march, crossed the Hudson at King's Ferry, and encamped at White Plains. The British lost at the battle of Monmouth about three hundred killed and many wounded; the Americans only sixty-nine killed and about one hundred and sixty wounded. Stung by the language Washington had used to him on the field of Monmouth, Lee, after a disrespectful and offensive correspondence with the commander-in-chief, demanded a court-martial, which accordingly met on the 4th of July, with Lord Stirling as president. After a prolonged and tedious investigation, Lee was found guilty of all the charges preferred against him, which were disobedience of orders, misbehavior before the enemy, and disrespect

GENERAL CHARLES LEE.

[1] He was a brother of David Ramsey, the historian, and died in Baltimore October 24, 1817. He was exchanged on December 14, 1780, for Lieutenant Colonel Connelly, the British spy, and was a member of congress from Maryland in 1785-7.

[2] Captain Jacob, of the 6th Regiment, in his *Life of Cresap*.

towards the commander-in-chief. The proceedings were approved by congress, and he was suspended from his command for twelve months. He finally left the army for Virginia, where he resided until his death four years afterwards, without having been again called into service.[1] In his retirement, General Lee solaced his mortification and resentment by writing and publishing in the Maryland *Journal*, of Baltimore, on the 6th of July, 1777, thirty-five "Queries, Political and Military," intended to disparage the merits and conduct of Washington. The attempt, however, was a failure, and only recoiled on his own head.

Among the queries were the following:

"I. Whether it is salutary or dangerous, consistent with or abhorrent from, the principles and spirit of Liberty and Republicanism, to inculcate and encourage in the people an idea that their welfare, safety and glory depend on one man? Whether they really do depend on one man?

"II. Whether, amongst the late warm, or rather loyal addresses, in this city, to his Excellency General Washington, there was a single mortal, one gentleman excepted, who could possibly be acquainted with his merits?

"III. Whether this gentleman excepted does really think his Excellency a great man, or whether evidences could not be produced of his sentiments being quite the reverse?"

The publication of these anonymous queries excited the indignation of the Whig Club of Baltimore, and immediately upon their appearance they waited upon Mr. Goddard, the publisher, and demanded to know their author. At first he refused to comply with the request of the club, but fearing personal violence, gave the name of General Charles Lee as the author, and in the next issue of his paper published the following card:

"A publication entitled, 'Some Queries, political and military, humbly offered to the consideration of the public,' having appeared in the Maryland *Journal*, of the 6th inst., derogatory of the French nation, tending to distract the minds of the people, and in particular aimed at the reputation of the Commander-in-Chief of the American Army—the inhabitants of this town resenting this publication, and considering it as calculated for invidious and malevolent purposes, called on the printer for the author of the piece which had given offence; and have directed to be published in the same paper, his acknowledgment on the occasion, with the annexed letters from *General Lee*, the author of the aforesaid Queries:

"I, William Goddard, do hereby acknowledge, that by publishing certain 'Queries, political and military,' in the Maryland *Journal* of the 6th inst., I have transgressed against truth, justice, and my duty as a good citizen, and in reparation, I do most humbly beg his Excellency General Washington's pardon, and hope the good people of this town will excuse my having published therein a piece so replete with the nonsense and malevolence of a disappointed man.

"W. GODDARD.

"Baltimore Town, *July* 9, 1779."[2]

Before the army crossed the Hudson, at Paramus, General Washington, on the 13th of July, received a letter from congress informing him of the arrival

[1] *Life of Lord Stirling*, p. 197, etc. *Life and Correspondence of President Reed*, i., p. 261, and ii., p. 119, etc.

[2] *Vide Chronicles of Baltimore*, pp. 172-182.

of the French fleet, under Count D'Estaing, off Sandy Hook, New York. Washington lost no time in offering his congratulations to the admiral, and sent two of his aides-de-camp, Laurens and Hamilton, on board to concert a plan to attack New York by land and water. To co-operate for such purpose, Washington crossed the Hudson, with his army, at King's Ferry, and encamped at White Plains, about the 20th of July. The pilots, however, refused to take the responsibility of conducting the heavy ships of the French over the bar at Sandy Hook, and the attempt to capture New York was, therefore, reluctantly abandoned, and the ships anchored about four miles off, near Shrewsbury, on the Jersey coast, taking in provisions and water. It was then decided that the French fleet should assist General Sullivan in reducing Newport, Rhode Island, then occupied by a garrison, which was immediately strengthened, and soon exceeded six thousand effectives, protected by Admiral Howe's naval force. The fleet anchored on the 29th of July, just without Benton's Ledge, five miles below Newport, and Sullivan going aboard, concerted with the admiral plans for their joint operations. In the meantime, Washington reinforced Sullivan's army with Varnum's and Glover's brigade under the Marquis de Lafayette, and Quartermaster-General Greene was also detached for the service. Upon the failure of Sullivan's attack upon the land, in consequence of the dissensions between the American and French officers, Count D'Estaing proceeded to Boston, to repair the damages his ships had sustained from a tremendous storm, and a partial engagement with the enemy's fleet.

While in camp at White Plains, Lieutenant-Colonel Benjamin Ford, of the sixth Maryland regiment, in the absence of Colonel Otho H. Williams, on the 1st of September, 1778, addressed the following letter to Governor Johnson:

"Knowing your anxiety of hearing of our affairs, to the eastward, I have taken the liberty of giving you an account of the last advices received from General Sullivan, this day, as I have it from one of His Excellency's family, I believe the authenticity of it need not be doubted. On the night of the 28th of August, General Sullivan made a disposition for retreating off Rhode Island, which he effected, so far as to get his baggage and heavy artillery to the north end of the Island, with the whole of his troops, that evening. The enemy got immediate information of it, and pursued next morning with two heavy columns, judging the main part of his army had embarked and were on the main; however, in this they were deceived, two parties of our infantry, which were designed to cover our retreat, attacked them and were engaged several hours; each received reinforcements from time to time till the afternoon, when the action became pretty general, and lasted excessive hot for an hour and upwards, when victory was declared in our favor, and we were left masters of the field. The enemy retreated with the utmost precipitation within their lines, which were six or eight miles from the scene of action. We lost a great number of killed and wounded, among whom were several valuable officers. The loss on both sides was very great, though it could not be ascertained, as the express left the General the day of the action. This event, I hope, will be important; it will give our men spirit, and convince them that the British are not invincible, when opposed by equal numbers of Americans. General Sullivan thinks his retreat thoroughly secure whenever he may chose to remove to the main; indeed, I think this check will secure him from any attempts from the enemy there, without a reinforcement should arrive to them. We still, I believe, may

wish he may have effected a retreat before this, as there is a large reinforcement sent from New York to them, which must have arrived before this time, which may be a great obstacle, not easily surmounted, should he have delayed his retreat till they arrive. Count D'Stang, 'tis said, suffered so much in the storm as to render it absolutely necessary for him to remove his fleet to Boston to be refitted, which is the only reason, I believe, that can be assigned for the failure of the plan. It is probable we shall not have his assistance again for some time. We remain here on very good terms with Sir Harry; he neither troubles us nor we him. Our light-infantry, which is a few miles below us, have a little scratching with him, though of no great importance. They rather worsted us yesterday, by ambuscading a small reconnoitering party under Major Stewart; they killed six Indians and a white man or two and made prisoners of fifteen or sixteen Indians and one or two whites. Our little party behaved nobly, though surrounded by a much superior party; they fought till the last. The Major and a few of the small number he had with him, escaped unhurt. The country thereabouts is such as renders it impossible to avoid ambuscades. We have treated them so heretofore on the same ground, and I think I may venture to predict it will not be long before Jack pays them amply in their own coin, for their civility to him on this occasion.

"Our army is in high spirits; though I think sickly, owing in a great measure to the want of clothing, which renders it impossible to keep them tolerably clean. I assure you our men are very badly clad; they still are in want of shirts, and in a very short time will want coats, waistcoats and breeches and stockings, as the weather is approaching fast when they can't possibly do duty without them. Hats they are very much in want of, as I declare the fourth of them have hardly any. I speak particularly of the wants of our regiment; many or almost all the others have come out clothed or received supplies except ours. I have spared no pains nor expense on my part. I have been to York, Lancaster and Philadelphia in the course of the summer, which cost me upwards of fifty pound, and could not procure a single article. Colonel Williams has been indefatigable, but his attempts have also proved abortive. . . . The officers from the State of Maryland are under great obligations to their countrymen for their liberality in putting them on the same footing with other States by sending them commissaries to supply them on reasonable terms with necessaries. I hope our conduct will merit a continuation of your favors. Mr. Randle, as yet, has made no purchases, but I hope he soon will, as a great number of the officers are much distressed for the want of clothing, and I assure you our pay is by no means adequate to the enormous prices we are obliged to pay for every necessary."

Early in December, 1778, Washington distributed his troops into winter quarters in a line of cantonments from Long Island Sound to the Delaware. General Putnam commanded at Danbury, General McDougall in the Highlands, while the Marylanders under Lord Stirling, were near Middlebrook in the Jerseys. The headquarters of the commander-in-chief was at the latter place. The cavalry was stationed thus: Bland's regiment at Winchester, Virginia; Baylor's, at Frederick and Hagerstown, Maryland; Moylan's, at Lancaster, Pennsylvania; and Sheldon's, at Durham, in Connecticut. Count Pulaski's legion, consisting of about two hundred and fifty horse and foot which was recruited in Maryland, was stationed at Cole's Fort in the Nunisink settlement, and Lee's corps, also largely recruited in Maryland, was with the main army in the Jerseys.

Washington, however, spent much of his time during the winter in Philadelphia, devising and discussing plans for the campaign of 1779. Here he found dissensions and party feuds among the members of congress,

where there had heretofore been unity of sentiment and action. The *personnel* of the members of that body had greatly deteriorated since the commencement of the war, and many whose names had been a tower of strength at the adoption of the Declaration of Independence, had withdrawn from the national councils—occupied either by their individual affairs or by the affairs of their individual States. Robert Morris had, in a letter to Washington, as early as February 27th, 1777, deprecated and deplored the absence of the ablest statesmen from the councils of the country. In this letter he depicts in sombre colors the prospects of the future and designs of the enemy, and observes:

"I should lament to you the absence of many great, good, and valuable men from Congress; for, if great care is not taken, that body, so respectable from the nature of the appointment, the importance of its objects, and the respectable characters of its heretofore individual members, will lose great part of its weight and consequence in the eyes of our own people. We have now to lament the absence from the public councils of America, of Thomas Johnson, Jay, R. R. Livingston, Duane, Deane, H. Livingston, Franklin, Dickinson, Harrison, Nelson, Hooper, Rutledge, and others not less conspicuous, without any proper appointments to fill their places, and this at the very time they are most wanted, or would be so, if they had not very wisely supplied the deficiency by delegating to your Excellency certain powers that they durst not have entrusted to any other man."[1]

About this time, too, a sudden change came over the mind of John Adams. He began to sigh for the modest quiet of private life. "I had rather," he wrote, "build a stone wall on Penn's Hill than to be the first prince in Europe, or the first general or first senator in America." Four days before the landing of Howe upon Long Island, he would have abandoned his seat in congress had not a sense of shame restrained him. As the consequences, however, became more serious, he could no longer resist his yearnings for "Penn's Hill," and on the 13th of October, 1776, when Washington was writing from Harlem Heights that his army was "on the eve of dissolution," when Howe was advancing to strike a decisive blow, and notwithstanding he was chairman of the board of war, he left congress, followed by the triumphant scoffings of the enemy. In his route home he avoided the army, keeping above the Highlands, nor did he return until the first of February, 1777, after the victories of Trenton and Princeton had turned the scale.[2]

We have already seen the jealousies that existed among the colonial troops in the war. The ill-effects produced by these feelings were also shared by members of congress. Washington, whose comprehensive patriotism embraced the whole union, deprecated and deplored the dawning of this sectional spirit. On the 4th of August, 1777, the day after he had declined to select an officer for the northern department, Gates was elected to its command by congress. "General Schuyler," Duane wrote, "to humor the eastern people, who declare that their militia will not fight under him, is recalled."[3]

[1] Sparks, iv., p. 340.

[2] Hamilton's *History of the Republic*, i., p. 164. Irving's *Washington*, ii., p. 447. *Life of John Adams*, i., p. 453, ii., pp. 43, 243, 257, 258, 259.

[3] Early in 1777, the different States were urged to levy and equip the quotas for the Continental army. "Nothing but the united efforts of every State in America," writes Washington, "can

Gouverneur Morris, who with Jay had hastened to Philadelphia, wrote to Schuyler: "So confident were they" (the eastern members) "in their assertions that their militia would not turn out while you presided, and such, from your own representation, was the gloomy aspect of our affairs there, that the southern members were alarmed, and thought it prudent not to attempt to stem the torrent." Schuyler answered: "My crime consists in not being a New England man in principle; and unless they alter theirs, I hope I never shall be. General Gates is their idol, because he is at their discretion." Governor Clinton writes: "Connecticut and Massachusetts have not furnished a man for the southern department; nay, scarcely answered the letters sent them. General Gates is ordered to the command of the northern army, and General Schuyler to join General Washington. The New England men will now be gratified, and ought to turn out; but I fear they will not behave better under any command."

In marked contrast with this feeling was that which prevailed among the Maryland troops who had fought gallantly without murmur or complaint, from Boston to Savannah, under officers not of their own selection nor from their own State.

While the sufferings of the army gave great discontent, a cabal was organized in congress to supersede Washington and place Gates at its head. The movement was headed by the Lees and Adamses; but it was resisted and ultimately defeated by Charles Carroll, of Carrollton, Morris and Duer. Of the views entertained of this congress, Gouverneur Morris, a member of it, writes to Jay: "The mighty senate of America is not what you have known it." Laurens, its president, on January 27th, 1778, says: "a most shameful deficiency in this branch is the greatest evil, and is indeed the source of almost all our evils. If there is not speedily a resurrection of able men, and of that virtue which I thought to be genuine in seventy-five, we are gone. We shall undo ourselves." "A horrid faction," Greene writes on February 7th, 1778, "has been forming to ruin his Excellency and others. Ambition, how boundless! Ingratitude, how prevalent! See upon what a monstrous principle the general is persecuted." A similar opinion was disclosed by Hamilton to Governor Clinton on the 13th of February, 1778.

Maryland, in order to sustain and promote her internal government and prosperity, had selected one of her wisest statesmen, Thomas Johnson, for the head of her State government. At the same time she was not forgetful of the importance of having a wise general council, and upon all occasions selected her best men to represent her in the Federal Congress. The Legislature, on February 15th, 1777, had selected as the representatives of the State in congress, Samuel Chase, Thomas Stone, William Paca and Charles Carroll, of

save us from disgrace and, probably, from ruin." He reproached Rhode Island for raising troops for home service before furnishing its quota to the general army. "If each State," he writes, "were to prepare for its own defence, independent of each other, they would all be conquered, one by one. Our success must depend on a firm union, and a strict adherence to the general plan."—Sparks, iv., p. 285.

Carrollton, the four Maryland signers of the Declaration of Independence, together with Benjamin Rumsey[1] and William Smith,[2] two of the most prominent men in the State. At the succeeding legislature, on the 17th of January, 1778, Messrs. Chase, Carroll and Stone were returned, with George Plater, James Forbes and John Henry, Jr.

Charles Carroll, of Carrollton, in a letter to Governor Johnson, dated York, April 21st, 1778, says:

"I wish you would employ some ingenious writer to combat and explore the perfidiousness of our enemies; they stop at nothing—the whole British nation seems rising against us; they will unite art and force to conquer us. I am persuaded they will send over, during the course of the summer and fall, at least 14,000 men, principally British.

"Is it not strange that the lust of domination should force the British nation to greater exertions than the desire of liberty can produce among us? . . . If our people would but exert themselves this campaign, we might secure our liberties forever. General ~~Washington is [illegible]~~. Reinforcements come in slow; try, for God's sake, and the sake of human nature, to rouse our country from their lethargy. ~~Gates will command a body of men in the~~ Highlands on Hudson's River, ~~for the security of its navigation~~. The congress do worse than ever; we murder time and chat it away on idle and impertinent talk; however, I hope the urgency of affairs will teach even that body a little discretion."[3]

While Washington was contending against the enemy in the field and factions in the council of the new nation, Maryland was doing all in her power to strengthen the force under his command and furnishing him with

[1] Benjamin Rumsey died at Joppa, in Baltimore County, March 7th, 1808.

[2] William Smith was a delegate to the Continental Congress from 1777 to 1778; a representative under the Constitution from 1789 to 1791, when he was appointed, by President Washington, Auditor of the Treasury. In 1792 he was a presidential elector. He died in Baltimore, March 27, 1814, aged eighty-four years.

[3] While Congress was sitting at York, John Henry, Jr., in a letter dated February 14, 1778, to Governor Johnson, remarks, that "The state of our army is critical. Four months' pay, if not more, are due them; and no money in the treasury to satisfy their just and reasonable demands. The press is at work, and attended with all vigilance and care, and has been for some time past. Near a million a week is now made, and yet our demands are greater than we can answer. They come in from all parts of the continent. The avarice of our people, and the extravagant prices of all commodities, joined with the imperfect management of our affairs, would expend the millions of Chili and Peru."

The Council, in a letter to the delegates, dated 7th of April, 1778, say: "This State sent, in 1776, with its battalion and independent companies, about 1,400 very good arms, not one of which was ever returned to the State. With the flying camp, the same year, full 3,000, not generally so good, of which upwards of 2,200 were left in Philadelphia by order of the Congress, and of the rest very few came back to Maryland; and that, last fall, the loss of arms by the militia was very considerable—not less, we judge, than 1,000, of all which the Congress has never paid us but 1,100."

In another, of the 17th of September, they remark: "It is high time that those who were clad here in linen, had cloth, and that they all had blankets. We, yesterday, purchased two hundred blankets, and have about four hundred suits of clothes nearly made up, which we shall send to the Maryland troops, unless you can get them immediately furnished, and shall purchase, at any time, what further may be necessary; for policy and humanity bid us not to rely longer on the clothier-general."

In the same letter, they speak of a resolution of Congress giving permission to the Eastern States to export grain, etc., from Maryland, and ask "We do not know the reason wherefore the exportation is entirely confined to the Eastern bottoms, and should be glad the Congress would revise the resolution and permit our own people, if they please, to export to the Eastern States, on the like securities for landing their cargoes. We cannot imagine that the Assembly will approve the carriage of our produce being exclusively thrown into the hands of the inhabitants of any of the other States."

the necessary supplies. The legislature again assembled on the 17th of March, 1778, and the very first Act passed was "for the service of the United States." It provided for the collection of live cattle, beef, pork and bacon for the use of the army, and authorized the governor, at certain rates, to hire or impress carriages, teams and drivers, or boats, or hands to transport these articles to the Continental army when collected. And in accordance with the earnest request of congress they passed "an Act to procure troops for the American army." By this Act the State proposed to raise 2,902 men including the two artillery companies already in camp, and the volunteers already on hand within the State. To ensure their speedy enlistment, the legislature apportioned to each county the number of men required, according to the number of militia in each. The proportion assigned was St. Mary's, 140; Kent, 128; Anne Arundel, 185; Calvert, 74; Charles, 145; Somerset, 130; Dorchester, 158; Baltimore, 281; Prince George's, 163; Cecil, 145; Talbot, 105; Queen Anne, 145; Worcester, 138; Frederick, 309; Harford, 103; Caroline, 108; Washington, 120; Montgomery, 156. To render this arrangement effective, it was provided that if the counties could not fill their quotas before the 20th of May, then there was to be a general muster of the militia who were to be divided into classes, and if each class did not furnish one recruit in five days a draft of one of this number should be made, who was to serve for nine months, or be liable to a fine, at the discretion of a court-martial. Those who were drafted or enlisted were entitled to a suit of clothes, two shirts, two pair of shoes and stockings, a hat and blanket, or an equivalent in money, the expense to be defrayed by an equal assessment on the property of men above fifty years of age, who were exempted by the Act. The governor was authorized to forward the recruits as fast as raised, to the place where the Maryland troops were stationed, unless otherwise directed by the commander-in-chief. As the loyalists, principally in Somerset County, still continued to give trouble, the legislature passed a further Act "to prevent and suppress insurrections." The governor was authorized to call out the militia of any county, if he thought it necessary; to march any portion of the companies of matrosses into the disturbed district; "to fit out any number of the galleys and armed boats which he may think necessary for cutting off the communication between the disaffected and the enemy, and to raise an independent company of foot, consisting of one hundred privates, to be raised and stationed on the Eastern Shore to serve for three years or during the war, and not to be sent out of the State." And no person was capable of serving as a juror in a civil or criminal case, who did not take the oath of fidelity to the State. By another "Act for enlarging the powers of the governor and council," they conferred almost dictatorial powers upon the executive in case of insurrection or invasion of the State or of an adjoining one, and provided means for raising and arming men, and supplying provisions, clothes, forage and means of transportation.

In the midst of these necessary legal provisions, General Smallwood, while stationed at Wilmington, in April, suppressed an insurrection of tories at Jordan's Island, about ten miles from Dover. And in June, in spite of the repressive laws enacted by the legislature, a great degree of disaffection continued in certain sections of the Eastern Shore. In May, 1778, the militia of Queen Anne's County were called into service to suppress the tories in that county, who, under the leadership of Cheney Clows, were giving the inhabitants considerable trouble.[1]

As General Smallwood expected an attack in April, he addressed a letter to the governor calling for assistance to protect the stores, etc., at the head of the Elk. In compliance with his request, the legislature passed a resolution directing two companies of militia from Kent, Cecil and Harford Counties to march to his assistance.[2]

About the middle of March, 1778, Count Pulaski, a Polish nobleman, who had been appointed by congress on the 13th of September, 1777, to the command of the cavalry, with the rank of brigadier-general, anxious to be employed in a way in which his knowledge and experience might be turned to the best account, proposed to General Washington the organization of an independent corps, which should be placed under his immediate command. This corps was to consist of cavalry armed with lances, and of foot equipped as light infantry. Washington approved the plan and recommended it to congress, who received his proposal favorably. He was authorized to raise and equip a body of sixty-eight light horse and two hundred foot, according to his own suggestion, to be called "Pulaski's Legion." He was allowed to enlist his recruits with the continental bounty, and to include prisoners and deserters. He was authorized to enlist men in any State; but when enlisted, they were to be reckoned as part of the quota which the State to which they belonged was bound to furnish to the continental army. With these powers, he established his head-quarters at Baltimore, and applied himself diligently to his task.

The legislature passed a resolution placing his legion on the same footing in Maryland with the other Maryland regiments, and rendered him all the assistance necessary for its organization. In June, 1778, General Smallwood

[1] Late in December, 1777, Colonel Beatty, the commander at Frederick, received one hundred prisoners-of-war, which he was compelled to confine in the jail until Fort Frederick was prepared to receive them. In the afternoon of Christmas Day, the prisoners concocted a plan to set fire to the building, hoping that, during the excitement, they might escape. Upon the fire breaking out, the militia assembled at the jail-yard gate, and upon its being opened, about one-third of the prisoners attempted to escape, but were charged upon by the militia and driven back, and the fire put out. In the struggle that ensued, a number of the prisoners were severely wounded. A few days after this exploit, the prisoners again threatened to make their escape, but, upon being informed by Colonel Beatty that, if they attempted it, he would show them no quarter, gave him no further trouble.

[2] Count Fleury, who had been sent to Wilmington to discipline the troops under General Smallwood, writes to Steuben, on the 13th of May, giving a mournful picture of the condition of the troops. Many of them, from their utter nudity, could not appear on the ground. "Most of the recruits are unprovided with shirts, and the only garment they possess is a blanket elegantly twined about them. You may judge, sir, how much this apparel graces their appearance on parade."

complained to the council that Pulaski was enlisting men belonging to the other regiments; but the council took no action in the matter, as they had said, in reply, they "had no discretion in their action; the direction of the assembly is the rule of their conduct, from which they had not the liberty to deviate." Pulaski's success in organizing his legion was greater than he had anticipated; for no other encouragement was held out than what was common to other branches of the army. Yet, in October, he reported his whole number to be three hundred and thirty, which was about sixty more than had at first been proposed. They were organized into three companies of horse and three of infantry, and on the 29th of July, he gave a public review of his Independent Legion to the citizens and military authorities of Baltimore. In the autumn he joined Washington's army in New Jersey, and while on the march to Little Egg Harbor his camp was surprised, and about forty of his men, including his lieutenant-colonel, De Bosen, were bayoneted.

COUNT PULASKI.

In February, 1779, he was ordered with his legion to South Carolina to place himself under the command of General Lincoln. At the siege of Savannah, on the 9th of October, 1779, while animating his troops in an assault on a battery, he received a mortal wound in the groin from a swivel shot. Captain Bentalou, of Baltimore, was likewise wounded by a musket ball. These two distinguished officers were conveyed on board of the United States' brig *Wasp*, which was then with the French fleet. General Pulaski died two days after the action, just as the brig was leaving the mouth of the Savannah River, and his body was committed to a watery grave. A monument has been erected to his memory in Pulaski Square, Savannah. Captain Bentalou was conveyed to Charleston, where he recovered.[1]

[1] He was killed in Baltimore in September, 1826, by falling through the hatchway of a warehouse.

It is said that, while Pulaski was raising his legion in Baltimore, he visited Lafayette, who was lying wounded in the care of the Moravians at Bethlehem, Pennsylvania. His presence made a deep impression upon the minds of the inhabitants of that place, and when it was known that he was organizing an independent legion in Baltimore, the Moravian Sisters of Bethlehem prepared a banner of crimson silk, with designs beautifully embroidered by their own hands, and sent it to Pulaski, with their blessing. This rather problematical incident has been made the subject of a poem by Mr. Longfellow, who has attempted to render the scene more effective by the introduction of "chancels," "aisles," "cowls," "altars," and "censers," things that would have been mere abominations to the simple brethren of Bethlehem. Pulaski, however, did receive a banner, which, at his death, was saved by Captain Bentalou, and finally deposited in Peale's Museum, which formerly stood on the northwest corner of Baltimore and Calvert streets, Baltimore. In 1844, Edmund Peale presented it to the Maryland Historical Society, where it is now carefully preserved, though little of its former beauty remains. It is of double silk, now faded to a dull brownish red. The designs on each side are embroidered with yellow silk, the letters shaded with green. A deep green bullion fringe ornaments the edges, and the size of the banner is twenty inches square. It was attached to a lance when borne to the field. On one side of the banner are the letters *U. S.*, and in a circle around them the words *Unita Virtus Fortior* (United Valor is Stronger). On the other side, in the centre, is the All-Seeing Eye, with the words *Non Alius Regit* (No Other Governs).

The legislature adjourned on the 22d of April, 1778, but was again convened on the 8th of June, and continued in session until the 23d, when it again adjourned.

By this time hostilities had broken out along the western frontier with the Indians, tories, refugees, and other border desperadoes. Brant, the noted Indian chief, had retired to the interior after the repulse of St. Leger, at Fort Schuyler, and plotted the memorable incursion into the valley of Wyoming, where over four hundred of the inhabitants were massacred. In this savage campaign, fields were laid waste, houses burnt, and their inhabitants murdered. Upwards of five thousand persons, says an English account, fled in the utmost distress and consternation, seeking refuge in the settlements on the Lehigh and Delaware.

To suppress these outrages, Washington determined to make war upon the savage tribes in their own style; to penetrate their country, lay waste their villages and settlements, and at the same time destroy the British post at Niagara, that nestling place of tories and refugees. For this purpose he fitted out three expeditions. The first, from Fort Schuyler, by Colonel Van Schaick, Lieutenant-Colonel Willett and Major Cochran, with about six hundred men, who, on the 19th of April, surprised the town of the Onondagas, destroyed the whole settlement and returned to the fort without the loss of a man. The second was under General Sullivan, who moved up the west branch of the Susquehannah into the Seneca country, where he was joined by General James Clinton. At Newtown, on the 29th of August, they defeated the Indians and tories under the two Butlers, Johnson and Brant, and following up their victory, penetrated the Indian country as far as Genesee River, laying the country waste, setting fire to deserted dwellings, destroying cornfields, orchards, gardens, everything, in fact, that could give sustenance to the Indians. The latter abandoned their country with their families, and at length took refuge under the protection of the British garrison at Niagara, upon which Sullivan returned to Easton, Pennsylvania. A similar expedition was undertaken by Colonel Brodhead, from Pittsburg, up the Allegany, against the Mingo, Muncey and Seneca tribes, with similar results. The force under Brodhead consisted of the militia of Washington and Montgomery Counties in Maryland, under the command of Colonel Beatty and the militia of Virginia and Pennsylvania. To supply this force with provisions, Maryland pressed into service fifty wagons, and on the 5th of August, loaded them with stores, etc., in Washington County, and transported them to Carlisle, Pennsylvania.[1]

The fall elections having taken place, the General Assembly was convened at Annapolis on the 26th of October, and continued its session until the 15th of December, 1778. During the adjournment of the legislature, the governor and council displayed the greatest energy in carrying into effect their measures to fill up the State's quota in the continental army. They were successful in their efforts, for by the middle of June, Maryland was the only

[1] Irving's *Washington*, iii., p. 488.

State that had in the army her full complement of men. Besides a warm controversy between the two Houses, growing out of an attempt of the House of Delegates to increase the pay of its members from twenty-five to forty shillings per day, the legislature passed a pension bill "for the relief of disabled and maimed officers, soldiers, marines and seamen;" and in November, elected George Plater, William Paca, William Carmichael,[1] John Henry, Jr., James Forbes and Daniel of St. Thomas Jenifer, delegates to congress.

While Washington was in Philadelphia, in the winter of 1778, he discussed with the members of congress the policy to be followed in the next campaign. He presumed that the enemy would maintain their existing posts and conduct the war as heretofore; in which case, he determined, if possible, to act on the defensive, as the country was in an exhausted state and needed repose. Besides, the participation of France in the war, divided the attention of England and would allow the colonies a breathing time to recruit their strength. This policy was approved by congress, and the campaign of 1779 was therefore rather remarkable for a series of manœuvres than for brilliant actions. The British, also, it seems, were inclined to remain inactive, or confine their operations to vexatious depredations on the unprotected towns of the seaboard. In pursuance of instructions sent out to Sir Henry Clinton, an expedition was fitted out under the command of Lieutenant-Colonel Campbell, of the English army, and Commodore Hyde Parker, of the navy. They anchored in the Savannah River towards the end of December, and on the 29th, captured Savannah. By the middle of January, 1779, all Georgia was reduced to submission. The enemy now set on foot an expedition against the commerce of the Chesapeake, which was supplying the army and sustaining the credit of the United Colonies. On the 9th of May, a squadron under Sir George Collier, conveying transports and galleys, with twenty-five hundred men, commanded by General Matthews, entered the Chesapeake, took possession of Portsmouth, sent out armed parties against Norfolk, Suffolk, Gosport, Kemp's Landing, and other neighboring places, where were large quantities of provisions, naval and military stores, and merchandise of all kinds, with numerous vessels, some on the stocks, others richly laden. Wherever they went, a scene of plunder, conflagration and destruction ensued. A few days sufficed to ravage the whole neighborhood.[2]

[1] William Carmichael, the diplomatist, was born in Maryland, and died in 1795. He was a gentleman of fortune, and of a distinguished family. He was on his way to America, in July, 1776, with despatches from Arthur Lee, but was detained at Paris, by sickness, and assisted Silas Deane, the American minister, in his correspondence and in the transaction of business for more than a year. He communicated to the King of Prussia, at Berlin, intelligence concerning American commerce, and assisted the commissioners at Paris. He was a delegate to congress from Maryland in 1778-80; was secretary of legation during Mr. Jay's mission to Spain; and when the latter left Spain, in June, 1782, he remained as *charge d'affaires*, and retained that office about thirteen years. In March, 1792, William Short was joined with him in a commission to negotiate a treaty with Spain; but the attempt was unsuccessful. His letters are in vol. ix., of *Spark's Diplomatic Correspondence*.—DRAKE.

[2] Irving, ii., p. 496.

While these depredations were being committed, Daniel of St. Thomas Jenifer, on the 9th of May, 1779, addressed a letter to Governor Johnson, in which he said:

"I wish, with all my heart, that we had an Executive; and agree with you in opinion, that the want of it is a strong reason for entering into some kind of confederation or other. But it has always hurt me to think of confederating on terms that would not be lasting. I believe that congress are now more disposed to explain the confederation than it was some time ago. The necessity of its being done has opened the eyes of some of the congress. But at present, business of greater importance takes up all our time. God grant us wisdom to determine with that judgment and precision which the grand object requires we should do.

"I have not the least doubt but a loan sufficient for the use of the army might be obtained if *proper* application were made. If the States would tax roundly, no doubt but the general demand for money for that purpose would appreciate the currency, especially if we could fall upon measures that would prevent speculation, for that has been the bane and cause of our present distresses. * * *

"I am happy in being informed that speculation in our State is almost at a stand. I wish to God it was so in every other, but at this place it seems to be as high as ever. We never knew distress till this vice pervaded the continent. In 1775 every man was ready to offer his service and contribute his mite. But oh! Jerusalem, Jerusalem, how art thou fallen! . . . I pray God that the troops lately embarked at New York may not be intended for Maryland or Virginia—if they should, I hope my countrymen will act nobly in the day of trial—nay, I am confident that on this, as on every other occasion, they will approve themselves true Marylanders, *i. e.*, neither to be menaced by power nor frightened by danger!"

The British, in the Revolutionary War, spoke of Baltimore as "a nest of pirates," and the governor and council, in consequence of the movements of the British fleet in the Chesapeake, feared that they had designs against that town. Immediately upon receipt of intelligence that they were in the bay, the militia of the several counties were ordered to hold themselves in readiness to march to its defence at a moment's notice, while the public stores, merchandise, records and other valuable property was sent to places of safety. The merchants of Baltimore organized as a corps of light dragoons, and placed themselves under the command of General Andrew Buchanan; and Colonel Samuel Smith being in the town on the 18th of May, tendered his services to the governor, which were accepted. On the 20th, all the militia of the State were ordered to Baltimore, and the town placed in a complete state of defence.

In the midst of these preparations, Colonel Henry Hollingsworth removed the stores from the head of Elk, and on the same day, (20th May, 1779) the governor and council addressed the following letter to the Maryland representatives in congress:

"In our situation, where nothing is wanted, in all probability, to secure us against 2,500 men, but arms, we cannot but remember how we have stripped ourselves of our arms for the support of the common cause, and the little attention that has been paid to our request to return them. It may be too late for this occasion or perhaps not. If it is possible to get a return of our arms or any of them, pray, do so and send them to the

head of Elk with all expedition; we had some arms in that neighborhood, but have ordered them to Baltimore and unless some assistance is given by the Congress, little can be done by the neighboring militia without arms, if there should be an attempt against the head of Elk; though we hope the chief of the Continental Stores will have been removed from thence. Could not General Gist be spared from camp? our militia have confidence in him, he would be very useful. He would be in his own neighborhood, acquainted with every man and every foot of ground: if you can, send him to us. We much want the money to pay for the flour &c., purchased for Congress; our Treasury is in advance and poor. We shall want money if we are obliged to defend ourselves."

In compliance with the request of the governor, Colonel Mordecai Gist was ordered to Maryland, and soon after, assumed command of the Maryland defences. In the meanwhile the enemy returned with their booty to New York.

The withdrawal of the British from the vicinity of Maryland, and the consequent removal of the scene of military operations to the neighborhood of New York, gave the people an opportunity to recover from the constant drain of men, provisions and military supplies. The exertions of Maryland from the commencment of the war were unexampled for a State of so small population, and with its settlements so scattered, and so much exposed. The population of the State at this period, consisted probably of less than one hundred and twenty thousand white persons, and something like sixty-five thousand slaves. During the campaigns of 1776–7–8–9, besides the frequent drafts of militia, for the protection of its own coast, when the Chesapeake was filled by British cruisers, the State had furnished to the regular service in her own regiments and companies, independent of those furnished other commands and the militia, over twelve thousand regulars. Of the large number Maryland furnished to other regiments and companies, and for which the State received no credit, the governor in a letter to the Maryland reprerentatives in congress, dated March 26th, 1779, says:

"We have no late returns of our troops, nor have we, at any time, had them so exact as is desirable, but we have reason to believe our quota has not been so deficient as that of most of the States. We have never had any credit for the men enlisted in our State by Pennsylvania or Delaware, for those of the Flying Camp stopped and enlisted in Philadelphia; there were more than a regiment of the first and three hundred of the latter at least, for those of Count Pulaski's Legion enlisted in this State, of whom we never had a return, they were more than one hundred. Major Lee also enlisted some men in our State the latter part of last winter and in the spring, we believe upwards of twenty; if none besides Count Pulaski's recruits are discounted, they ought, according to the resolutions of Congress. * * *

"Queer, too, what is become of Colonel Hartley's regiment, a great part of it was raised in this State. But these facts, we apprehend, when other States are eased of a part of their quota, ought to have influenced the easing this State of a part of the eight regiments; and the scarcity of men and the price of labor strongly claim it in this State. However, the Assembly are very desirous to strengthen the army as much as they possibly can, and our inclination, as well as our duty, concur with them."

While the invasion of the State continued, most of the inhabitants upon the bay shore were under arms, and those of the interior in readiness to march

to any threatened point. In fact, the entire male white population of the State during the Revolution, were thoroughly ready to engage actively in the conflict. And no State clung more faithfully to Washington in all his trials, and against all his opponents; and no State furnished more troops, or as many, to the Continental army, according to the proportions fixed by congress. Governor Reed, of Pennsylvania, in alluding to this subject in his own State, in a letter dated July 15th, 1780, to Washington, says:

"I have never sought after comparisons with other States, but have ever understood that (Maryland excepted) this State always had a greater proportion of troops in the field than any State, unless we reckoned the ill-selected drafts that came in from some Eastern States, a proportion of which would not pass muster, and the rest went home as soon as they became soldiers."[1]

But it was not men alone that the State furnished the common cause; her granaries fed the armies of the country in a larger degree than those of any other State. At the beginning of the war there was a great scarcity of flour, bread, corn and iron in the Eastern States; and the military operations of the enemy being almost exclusively confined to New Jersey, New York and Pennsylvania, agriculture in these States was very much interrupted. Maryland being comparatively free from invasion, notwithstanding numerous interruptions along the water courses, raised large crops of wheat and corn, and furnished the food, not only for her own militia, but for the main armies. Besides, her wheat ripening the earliest of all the wheat-growing States, it was particularly required for the first supplies, and was even exported to the Northern States, by permission of the legislature, for State and continental use. Large quantities were also shipped by the State governments and private parties to the West Indies, where it was sold, and the proceeds invested in a return cargo of military stores, or arms and ammunition.

The slaves of Maryland, who were faithful to their masters, produced this immense supply of cereals. But a small portion deserted voluntarily to the British, or gave them aid or information. Most of those brought into the British lines had been captured, and these were sent as slaves to the West India plantations. While the masters were engaged in fields of battle, the negroes remained at home carrying on the labors of the plantation, in most cases with fidelity and diligence. Thus, the system of slavery, here as elsewhere, was favorable to military enterprise, securing protection for the toiler, and sustenance for the fighter. While the slave was peculiarly fitted for agricultural labor, the white man of the South was especially adapted, by the circumstances of his daily pursuits, for the active and adventurous life of the soldier.

The legislature was again convened at Annapolis on the 9th of March, 1779, and after a session of sixteen days, adjourned on the 25th of the same month. During their recess, on the 17th of June, the principal officers of the

[1] *Correspondence of the Revolution*, iii., p. 21.

Maryland regiments in the field addressed the following petition to the governor and the members of the Senate and House of Delegates, asking a just provision for their support:

"THE ADDRESS OF THE OFFICERS OF THE MARYLAND FORCES.

"We beg leave, most respectfully, to represent to your Excellency and Honors that the several provisions hitherto made by the Legislature for the subsistence of her officers, though liberal at the time of being voted, have by no means been adequate to the exigent expenses of their respective stations.

"That a zeal for the public cause, and an ardent desire to promote the happiness and interest of their country have, notwithstanding, induced them to continue in the service to the very great prejudice of their private fortunes; many of which being now entirely exhausted, we find ourselves under the painful and humiliating necessity of soliciting your Excellency and Honors for a further support, and the disposition of a generous and grateful people to reward the services of the faithful sons and servants of the State.

"The very great depreciation of the Continental Currency renders it absolutely necessary that some further provision should be made for our support to enable us to continue a service in which nothing but a love of Liberty and the rights of mankind can retain us; and we trust that it will be such as will support with decency and dignity the respective ranks which our country has done us the honor to confer on us.

"The inconveniences and difficulties we suffer are various and grievous, but we think it unnecessary to be particular or to point out a mode of redress as the examples of the State of Pennsylvania and others in providing for their officers and soldiers are the most eligible and ample we desire or expect.

"We beg leave to assure your Excellency and Honors with the utmost candor and sincerity, that while we assiduously exert our best abilities in a hardy opposition to the enemies of our country, we earnestly wish the arrival of that period when our military services will be no longer requisite, and, being at liberty individually to procure a peaceful competence, we may again be numbered among the happy citizens of the Free and Independent State of Maryland.

"We have the honor to be with great respect,

"Your Excellency and Honors most obedient humble servants.

"Knowing the above representation to be a true state of the grievances of the officers in the Maryland line, on their behalf, and in justice to them, I have subscribed it,

"W. SMALLWOOD.

"John Carvil Hall, colonel 4th regiment; Otho H. Williams, colonel 6th regiment; John Gunby, colonel; R. Adams, lieutenant-colonel 7th regiment; Thomas Wolford, lieutenant-colonel 2d regiment; John E. Howard, lieutenant-colonel; John Stewart, major; John Dean, major; Archibald Anderson, major; Henry Hardman, captain; A. Grosh, captain; Thomas Landsdale, captain; Harry Dobson, captain; William D. Beale, captain; Jonathan Sellman, captain; Alexander Trueman, captain; Joseph Marbury, captain; Jacob Brice, captain; John Smith, captain; William Wilmott, captain; Alexander Roxburgh, captain; Henry Gaither, captain; Edward Oldman, captain; Richard Anderson, captain; Edward Pratt, captain; George Hamilton, captain; Levin Handy, captain; Walker Mun, captain; James Woolford Gray, captain; John Gale, captain; John Sprigg Belt, captain; John Smith, captain; W. Beatty, captain; J. C. Jones, captain; John Davidson, captain; John Jordan, captain; James Somervell, captain-lieutenant; Benjamin Price, captain-lieutenant; Frederick Foird, captain-lieutenant; George Armstrong, captain-lieutenant; and lieutenants Francis Reveley, Nicholas Mamges, Samuel Farmer, Osborn Williams, Isaac Duall, John James, John Carr, Nicholas Gassaway, Charles Smith, R. N. Walker, Lloyd Beall, Richard McAlister, James Brain, Ed. Edgerly,

John J. Jacob, James Ewing, Wm. Lamar, Wm. Woolford, Charles Beaven, John Hartshorn, John M. Hamilton, James Gould, J. J. Skinner, Richard Donovan, John Gibson, T. B. Hugan, Gassaway Watkins, W. Adams, George Jacobs, John Mitchell, Philip Theid, Edward Moran, Thomas Price, engineer; Henry Baldwin, quarter-master and engineer; John Gassaway, lieutenant 2d Maryland regiment; Samuel Hanson, ensign; Hezekiah Ford, ensign; John Dorsey, surgeon 5th Maryland regiment; Thomas Parran, surgeon 6th regiment; William Kiltz, assistant surgeon 5th regiment; John Hamilton, pay-master and lieutenant, 4th Maryland regiment; Richard Pindell, surgeon, 4th Maryland regiment; Christopher Richmond, pay-master and lieutenant; Benjamin Garnett, engineer; James Woulds, adjutant; W. Warfield, assistant surgeon, 6th regiment; Robert Denny, engineer and pay-master, 7th regiment."

The legislature re-assembled on the 22d of July, and soon after passed "an Act relating to the officers and soldiers of this State in the American army." As the officers were bearing the heaviest burdens of the war, with a pay which scarcely supplied them with the necessaries of life, and as most of them were now so reduced in means as to be dependent upon the gratuity of the State, the legislature, by this Act, allowed each of the commissioned and staff officers of the Maryland Line, and of the State troops in the continental army, every year during the war, at a fixed price, "four good shirts and a complete uniform, suitable to his station." They also allowed them, at fixed rates, tea, coffee, chocolate, sugar, rum, soap and tobacco, in certain portions, to be dealt out by the day and month. In the present year, in lieu of these, they were to receive $2,000. The non-commissioned officers and privates were also allowed an allowance in rum and tobacco, which, for the year 1779, was commuted at £20 currency to each man. The Act also allowed those who would enlist to serve in a Maryland regiment for three years or during the war, besides the congress and State bounties, a hat, a pair of shoes, stockings and overalls. And it directs the matrosses in Annapolis and Baltimore to be incorporated into a company and sent to camp as a part of the State quota. The invalids, together with the recruits that would enlist for three years of the war, were to be officered to do garrison duty, and take care of the arms and military stores at Annapolis and Baltimore. An Act was also passed "to restrict the delegates of this State in congress from engaging in any trade, either foreign or domestic;" and in consequence of the large influx of foreigners, and to encourage immigration, an Act was passed "for naturalization." By the latter Act all foreigners coming into the State were exempted from taxation for two years; and foreign "tradesmen, artificers and manufacturers," for four years. The legislature adjourned on the 15th of August, and again assembled on the 8th of November.

In the meantime, when the marauding expedition returned from Virginia, it was joined at New York, by Sir Henry Clinton, and a large force, who immediately sailed up the Hudson River and took possession of Stony Point and Verplanck's Point, situate on opposite sides of the river at King's Ferry. Being informed of the designs of the British commander to secure possession of the Highlands, Washington immediately withdrew his troops from their

cantonments in New Jersey, and by rapid marches, placed his army in such positions as to prevent the capture of any other posts than those above mentioned. His army was still in the neighborhood of Middlebrook, but on the 2d of June General St. Clair's division took up the line of march for Pompton, followed on the same day by the Virginia division under Lord Stirling, and on the 3d by the Maryland troops under Baron de Kalb. Sir Henry Clinton, without attempting anything further than the capture of Stony Point and Verplanck's Point, left a strong garrison at each, and about the 1st of June retired to New York. Early in July, Washington, in order to do "something to satisfy the expectations of the people and reconcile them to the defensive plan which he was obliged to pursue," resolved to attack the strong post at Stony Point. It was a rocky promontory advancing far into the Hudson, which washed three sides, and a deep morass covered at high water separated it from the mainland. It was crowned by strong works, furnished with heavy ordnance commanding all sides, and lower down were two rows of abatis, and the shore at the foot of the hill could be swept by vessels of war anchored in the river. The garrison was about six hundred strong, commanded by Lieutenant Colonel Johnson.

This perilous enterprise was intrusted to General Wayne, sometimes called from his daring valor "mad Anthony"; and the night of the 15th of July was fixed on for the assault. After a march of fourteen miles the attacking party arrived within a mile and a-half of the enemy at eight o'clock in the evening. At the foot of the promontory the troops were divided into two columns for simultaneous attacks on opposite sides of the works. One hundred and fifty volunteers, led by Lieutenant Colonel Fleury, seconded by Major Posey, formed the vanguard of the right column; one hundred volunteers, mostly of the Maryland Line, under Major Jack Stewart, of Maryland, the vanguard of the left. In advance of each was a forlorn hope of twenty men, one led by Lieutenant Gibbon, the other by Lieutenant Knox, whose perilous duty it was to remove the abatis. So well had the whole affair been conducted, that the Americans were close upon the outworks before they were discovered. There was then severe skirmishing at the pickets. The Americans used the bayonet; the others discharged their muskets. The reports roused the garrison. Stony Point was instantly in an uproar. The drums beat to arms; every one hurried to his post; the works were hastily manned, and a tremendous fire of grape and musketry opened upon the assailants.

The two columns forced their way with the bayonet, at opposite points, surmounting every obstacle. The garrison surrendered at discretion. Mr. Irving, in conclusion, says: "The storming of Stony Point stands out in high relief, as one of the most brilliant achievements of the war. The Americans had effected it without firing a musket. On their part it was the silent, deadly work of the bayonet; the fierce resistance they met at the outset may be judged by the havoc made in their forlorn hope; out of twenty-two men, seventeen were either killed or wounded. The whole loss of the Americans

was fifteen killed and eighty-three wounded. Of the garrison, eighty-three were slain, including two officers; five hundred and fifty-three were taken prisoners, among whom were a lieutenant-colonel, four captains and twenty-three subaltern officers."[1]

Washington evacuated the post on the 18th, removing the cannon and stores and destroying the works. On the 19th, Washington gave the enemy another "little stroke at Powles Hook," now Jersey City. In this gallant surprise the Maryland troops under the command of Colonel Henry Lee, emulated the heroism of Stony Point, though it would seem the commander had reason to censure very strongly some of the troops from other States. The following contemporary letter from Captain Levin Handy, of Colonel Richardson's fifth Maryland regiment, to George Handy, thus describes the capture of Paulus Hook:

"*Paramus, 22d July, 1779.*

"Dear George:

"Before this reaches you, I doubt not you have heard of our success at Powle's Hook, where the enemy had a very strong fort, within one and a quarter miles from New York. We started from this place on Wednesday last, at half after ten o'clock, taking our route by a place called the New Bridge, on Hackensac River, where my two companies were joined by three hundred Virginians, and a company of dismounted Dragoons, commanded by Captain McLane. We took up our line of march about five o'clock in the evening from the Bridge, the nearest route with safety, to Powle's, distant then about twenty miles, with my detachment in front, the whole under command of the gallant Major Lee. The works were to be carried by storm—the whole to advance in three solid columns, one of which I had the honor to command. The attack was to commence at half after twelve o'clock, but having been greatly embarrassed on our march, and having a number of difficulties to surmount, did not arrive at the point of attack till after four o'clock in the morning, when after a small fire from them, we gained their works, and put about fifty of them to the bayonet, took one hundred and fifty-seven prisoners, exclusive of seven commanding officers; this was completed in less than thirty minutes, and a retreat ordered, as we had every reason to suppose, unless timely, it would be cut off. Our situation was so difficult that we could not bring off any stores. We had a morass to pass of upwards two miles, the greatest part of which we were obliged to pass by files, and several canals to ford up to our breasts in water. We advanced with bayonets fixed, pans open, cocks fallen, to prevent any fire from our side; and believe me, when I assure you, we did not fire a musket.

"You will see a more particular account of it in the papers than it is in my power to give you at present. It is thought to be the greatest enterprise ever undertaken in America. Our loss is so inconsiderable that I do not mention it.

"LEVIN HANDY."

In a letter to President Reed, dated August 27th, 1779, Henry Lee himself writes:

"In my report to General Washington, which I hope Congress will do me the justice to publish as soon as possible, I passed the usual general compliments on the troops under my command. I did not tell the world that near one-half of my countrymen left me—that it was reported to me by Major Clarke as I was entering the marsh—that notwithstanding this and every other dumb sign, I pushed on to the attack.

[1] Irving's *Washington*, ii., p. 506.

"Had I been unsuccessful, I was determined to leave my corpse within the enemy's lines. The brave Marylanders stood by me faithfully. Major Clarke, with his Virginians, exerted himself. Their efforts to second his endeavors were not the most vigorous." [1]

After the little stroke at Paulus Hook, Washington established his headquarters at West Point, and remained there till December, when the army went into winter quarters. The Maryland, Virginia and Pennsylvania troops were under the command of General Putnam, and composed the right wing of the army.[2]

Thomas Johnson, the statesman and patriot, had now served as governor three successive terms, and the constitutional limitation rendering him no longer eligible, the legislature, soon after assembling, proceeded to elect his successor. Two candidates were proposed, Colonel Edward Lloyd, of Talbot, and Thomas Sim Lee. On the 8th of November, 1779, the election took place, when the latter gentleman was chosen governor of the State. The legislature then elected his council: Colonel John H. Stone, Jeremiah T. Chase, James Brice, Daniel Carroll and John Brice. Desirous of testifying their high appreciation of the worth and services of Governor Johnson, the two Houses, on the 18th of November, adopted and transmitted to him the following address:

"The prudence, assiduity, firmness and integrity with which you have discharged in times the most critical, the duties of your late important station, have a just claim to our warm acknowledgments and sincerest thanks.

"While dissipation and avarice have too generally prevailed, your conduct, Sir, has afforded a conspicuous example of unwearied attention and close application to the public welfare, and of disinterestedness in foregoing those profits your known industry, knowledge of business, and of your profession, could not have failed of securing.

"We approve and admire that consistency of conduct and uniformity of character which distinguished a life devoted, from a very early period, to the true interests of your country, steadily and invariably pursued through a variety of important trusts; and relying on this your ruling passion, the love of your country, we have the best founded hope that you will not suffer to remain long inactive, in the retirement of private life, those abilities which have often been so serviceable to the State, and of which it never than at the present time stood in greater need."

Conrad Alexander Gérard, the French ambassador to the United Colonies, arrived at Philadelphia early in July, 1778, and upon the arrival of the French fleet, under Count d'Estaing, the State had furnished it with fresh provisions and supplies. In acknowledging this service, the secretary of the French minister, in a letter to the governor, dated August 26th, 1779, says:

"I have the honor of forwarding to your Excellency the inclosed letter from his Excellency Mons. Gerard, which is intended to testify our acknowledgement for the many

[1] *Life and Correspondence of Reed*, ii., pp. 125-126.

[2] General Smallwood, on the 13th of September, made the following return: 1st Regiment, 333 men; 3d Regiment, 462 men; 5th Regiment, 311 men; 7th Regiment, 320 men. Second Brigade, October 27—4th Regiment, 418 men; 6th Regiment, 305 men. In May, Colonel Moses Rawlings was ordered to march to Fort Pitt, and in consequence of the refusal of General Washington to place the German regiment under his command, he resigned, and Captain Beale was placed in command at Frederick. The German battalion and Rawlings' rifle regiment, in 1779, were merged into one regiment known as the 8th Maryland Regiment.

proofs we have received from the commonwealth of Maryland of their attachment to the alliance, and of their zeal for the common cause. We are particularly indebted for the late resolve of the General Assembly respecting the exportation of provisions for the use of his Majesty's fleets and armies in the West Indies, which will afford us a relief the more necessary on account of the impediments we meet with in many quarters, and the increased demands made on us, in consequence of the late conquests and acquisitions in the West Indies and the numerous navy at present collected in those seas."

In September, 1779, Gérard was succeeded by the Chevalier de la Luzerne, as ambassador to the United States, and on the 3d of December, the governor and council addressed him the following letter:

"We were honored with your Excellency's letter of the 17th ult. The polite assurance that you received pleasure when you understood the commander of his Most Christian Majesty's squadron had made choice of this station because you could rely on us for succor, communicated the highest satisfaction. Such is our inclination to render every assistance in our power to the troops of our illustrious ally, that nothing was necessary to prompt us to an exertion for their relief, but a communication of their wants and sufferings. Our duty, seconded by our attachment to friends who have bravely fought and bled in the cause of liberty, lead us to consider their distresses as our own, and make our exertions to provide the sick and wounded with suitable lodgings and proper sustenance, the most pleasing task. Victualling the squadron is certainly an important object, and demands our utmost endeavors to enable Mons. De Grasse, or any other French commander, to procure full and speedy supplies for the use of the fleet. The congratulation of your Excellency is flattering. Convinced that America is interested in the judicious appointments of your king, it gives us infinite pleasure in felicitating you and United America on your Excellency's appointment, which alone can console us for the loss of your worthy predecessor, whose goodness of heart impelled him on every occasion to exert his extraordinary abilities in promoting such measures as tended, not only to render the present happy connexion between France and America permanent, but to secure the happiness and independence of the latter."

The winter of 1779, set in with so much severity, that the channels of transportation were closed, and the troops in the neighborhood of West Point and Morristown were reduced to the greatest distress for the want of provisions. Washington, with great foresight, had anticipated this, for on the 4th of October, in a letter to the president of congress, he observed that "it would be well for the Marine Committee to be directed to turn their attention to the transportation of flour from the Delaware and Chesapeake by water. Should we obtain the command of the sea, vessels might, without the least danger be introduced within the Hook, thence to Amboy, from whence their cargoes might easily be conveyed in boats up Newark Bay. Or should some of them run round into the Sound, it would be equally, nay, more convenient. Should we operate to the eastward, measures of this kind will be indispensably necessary, as the length and difficulty of land carriage will render the support of any considerable body of men almost impossible. The wheat of Maryland being in more forwardness for grinding than any other, I could wish that Governor Johnson may be requested to push the purchases within that State. The commissary-general gives the fullest encouragement on the score of beef, but of flour he continues to express his fears."[1]

[1] Sparks, vi., p. 370.

In compliance with this request the president of congress called the attention of the governor to the subject and urged his immediate action, as the distressed condition of the army made it necessary to collect supplies from Maryland.

After the assembling of the legislature, the governor laid the matter before it, and they soon passed "an Act for the immediate supply of flour and other provisions for the army." Under this law there were appointed in each county, commissioners for the collection of wheat, flour, rye and corn. For these supplies they were authorized to make diligent search, and under certain restrictions to seize them wherever found, upon giving the owners certificates, expressing the time, quantity and price of the articles seized. It also authorized the commissioners to hire or press into service, carriages, wagons, or vessels, for the purpose of conveying the said articles to the place of destination in the State.

To carry out the provisions of this Act, Governor Lee, on the 29th of December, 1779, issued the following proclamation:

"WHEREAS, It is represented, by the most unquestionable authority, that the army of the United States is greatly distressed for want of flour and forage, and that they will infallibly disband, unless the most speedy and extraordinary exertions are made by this State to procure those articles for their relief:

"And, whereas, the General Assembly have enacted a law entitled 'An Act for the immediate supply of flour and other provisions for the army,' which requires the utmost efforts of every worthy citizen of this State to carry the same into full and speedy execution:

"I do therefore most earnestly entreat, conjure, require and enjoin, all justices of the peace, sheriffs and their deputies, constables, and all other the good citizens of this State, by that love of their country, that patriotic zeal and magnanimity which have hitherto distinguished their conduct in the present glorious contest for life, liberty and property, to exert themselves to the utmost at this critical emergency in procuring and furnishing flour and other provisions for the immediate relief of the army, in their present alarming distress, and rendering every assistance to the commissioners in carrying the said law into execution."

And "for recruiting the quota of troops of this State in the American army," the legislature also passed an Act for calling into service 1,400 men to serve three years, or during the war. These recruits were apportioned among the several counties, and upon their enlistment in case of death, their legal representatives at the end of three years were entitled to fifty acres of land. And the county courts were authorized at their discretion to draw on the county treasurers for the maintenance of the needy families of such recruits. Any recruiting officer who should by the first of March following, enlist and turn over to the State twenty serviceable recruits, was entitled to receive one hundred acres of land, and upon enlisting the same by the first of April, was entitled to fifty acres. All soldiers whose terms of enlistment expired in 1780, and who had re-enlisted, were entitled to the same benefits as those enlisted under this Act.

VIRGINIA
NORTH CAROLINA
SOUTH CAROLINA
GEORGIA
Richmond
Petersburg
Charlotte
Guilford
Lexington
Salisbury
Fayetteville
Newbern
Cowpens
Ninety Six
Augusta
Savannah
Beaufort
Ebenezer Zubleys
Hudsons
Eutaw Sp
Fort Mott
Clermont
Williams
Ramsowers
Wadesborough
Camden
Hanging Rock
Black R.
Roanoke R.
Neuse R.
Tar R.
Pamlico R.
Appomattox R.
James R.
Staunton R.
Dan R.
Yadkin R.
Catawba R.
Congaree R.
Wateree R.
Santee R.
Savannah R.
Ogeechee R.
Altamaha R.
Cape Fear R.
Pee Dee R.
Lynches R.
Saluda R.
Broad R.
Tugaloo R.
Chowan R.
Meherrin R.
Nottaway R.
Appomattox R.
Rappahannock R.
Potomac R.
Chesapeake B.
Albemarle S.
Pamlico Sound
Ocracoke
Cape Fear
Brunswick
Wilmington
Old T.
Elizabeth
Fort Moore
Walsons
Melsons
Ft Watson
Ft Motte
Orangeburg
Sullivans I.
Tybee I.
Cockspur
Light House
Sunbury
Tiltons I.
Abercorn
Old Ft.
Smithfield
Norfolk
Hampton
Lunenburg
Bladen's
Hillsborough
Chapel Hill
Q.M.
C.H.
Ford
Bridge
Mt Gowan
Charlotte
Salisbury
Fayetteville
Elizabeth
Springfield
Clarendon
Camden
Wadesborough
Hanging Rock
Black R.
Ninety Six
Augusta
Savannah
Map of part of
VIRGINIA, NORTH CAROLINA,
SOUTH CAROLINA & GEORGIA,
which were the scenes of
THE MOST IMPORTANT OPERATIONS
of the
SOUTHERN ARMIES.
Scale of Miles.

CHAPTER XXV.

SIR HENRY CLINTON, finding that he had not sufficient force to warrant an attack upon Washington's camp at West Point, turned his attention towards the south, hoping, by a successful expedition in that section, to counterbalance ill-success in other quarters. He, therefore, strongly fortified New York and Brooklyn, and withdrawing his forces from Stony and Verplanck's Points and other places, and concentrating them within his works, made preparations for an expedition to capture Charleston and reduce South Carolina.

Leaving the command in New York to General Knyphausen, Clinton embarked eight thousand five hundred men, accompanied by Lord Cornwallis, and set sail on the 26th day of December, 1779, under the convoy of Admiral Arbuthnot. After a long, tempestuous and disastrous voyage, the scattered fleet arrived, about the end of January, at Tybee Bay, Savannah River. On the 10th of February, 1780, the army sailed from Savannah to North Edisto Sound, where the troops disembarked on the 11th, on St. John's Island, about thirty miles below Charleston. From this point Sir Henry Clinton, by a slow and cautious march, proceeded to Ashley River, opposite the city, while a part of the fleet went round by sea, for the purpose of blockading the port. On the 12th of March, Clinton took up a position on Charleston Neck, a few miles above the town, and began the investment. He had under his command, at this time, about ten thousand men, which were soon increased by Lord Rawdon's brigade, of eight regiments, or about three thousand more from New York.

GENERAL BARON DE KALB

Washington was now very anxious about these movements in the South; and upon hearing of the embarkation of Rawdon's brigade, became convinced that the enemy intended to make that the principal theatre of the war. He would have hastened thither to take command in person had not his presence been required to watch New York and secure the Hudson. He had, however, every confidence in General Lincoln, the commander at Charleston, whom he proceeded to reinforce. With the consent of congress, he put the Maryland Line under marching orders, together with Kirkwood's Delaware regiment, which acted with it. The Maryland division, at this time numbering about two thousand men, under the command

of Major-General Baron de Kalb,[1] was ordered to proceed with all haste to the relief of Lincoln, and took up its line of march from Morristown, on April 16th, for the head of Elk River, which it reached about May 1st, and on the 3d, embarked on board vessels that had been seized by the State to expedite the transport.[2]

Arriving safely at Petersburg, this force took up at once its line of march for Camden, South Carolina. But, on May 12th, Lincoln, after a brave defence, surrendered Charleston; and General Horatio Gates, the victor of Saratoga, was, on June 13th, appointed by congress to succeed him in command of the Southern department, acting independently of Washington.

Clinton looked upon the fall of Charleston as deciding the fate of the South; and embarking with a part of his forces on June 15th, he sailed for New York, leaving the rest of his army under the command of Lord Cornwallis, who was to reduce all the territory from Savannah to the Chesapeake Bay.

On the 20th of June, De Kalb entered North Carolina, and halted at Hillsborough to rest his soldiers. He found no supplies on the route, and his advance was much retarded for the want of provisions. His complaints on this score to the authorities of the State were unheeded, and it was only by force that he could obtain supplies from the people, and even then in very insufficient quantity. At last, on the 6th of July, his troops were brought to a positive halt at Deep River for want of provisions.

[1] John Baron de Kalb was born June 29th, 1721, of a noble family, at Huttendorf, in the margraviate of Bayreuth, Germany. His inclinations being to a military life, he entered the French service in 1743, became captain and aide-major in 1747, and major in 1756. While serving in the quartermaster's department he was promoted to lieutenant-colonel, and in May, 1761, under Marshal de Broglie, he obtained the rank of brigadier-general, and the order of military merit, which he retained until the peace in 1763. Charged by Choiseul, the minister of Louis XV, with a mission to the American Colonies to ascertain their feeling towards the mother-country, and to learn their vulnerable points, he embarked in December, 1767, and returned at the close of 1768, having suffered shipwreck near Staten Island, January, 1768, and undergone great hardship. While in the performance of this mission, he was seized as a suspected person, but escaped detection. Upon his return to France he retired into private life until the breaking out of the Revolutionary War, when he hastened to offer his services to a people for whom he felt a warm attachment, and with whose cause he favorably sympathized. The American agents in Paris, Franklin and Deane, were but too glad to secure an officer of his experience and talents; and in November, 1776, De Kalb engaged to enter the service of the United Colonies with the rank of major-general. He at once began using his influence to enlist others in the cause, and there is no doubt that his representations influenced the decision of Lafayette, whose agreement was signed the following month. Embarking from a Spanish port in March, 1777, after a dangerous and tedious voyage, De Kalb, Lafayette, Captain Du Bois Martin (afterwards a resident of Baltimore) and their companions, in June reached Charleston, South Carolina, where they were received with enthusiasm. In July, congress issued Lafayette's commission, and De Kalb's on the 15th of September, 1777. At first he served in the main army under Washington, but in April, 1780, was placed in command of the Maryland division, (with which the Delaware battalion was always included), and ordered to the South, then the chief seat of the war. Before he could reach Charleston, however, General Lincoln had been made prisoner, and the direction of the whole Southern army in consequence devolved upon the Baron from May, 1780, until the appointment of Gates, a far inferior officer.

[2] On April 24th, the governor and council had directed Colonel Henry Hollingsworth to seize necessary shipping to transport the troops from the Elk to Virginia; Commodore Thomas Grason was to do the same for those in Annapolis, Isaac Guest, those in Baltimore, and Captain Joseph Middleton, Lieutenant James Ewing and Lieutenant James Skinner, at other places. The whole were to be placed under the command of Commodore Grason.

In this condition the troops remained several days, depending on foraging parties, when the supplies in the neighborhood of the camp becoming exhausted, it became necessary to remove to where they were more plenty; so he took up his line of march and encamped at Buffalo Ford, on Deep River. Still, however, the supplies of grain were insufficient, and the only meat that could be procured was poor beef, daily driven out of the woods and cane-brakes, where the cattle had wintered. De Kalb had been promised a plentiful supply of provisions and a respectable reinforcement of North Carolina militia, under General Caswell, but was disappointed in both, and finally on the 25th of July, when thinking of deviating to the right and seeking the fertile counties of Mecklenburg and Rowan, General Gates arrived in camp and took command of the army. He was received with all the ceremony due to his position, but great was the astonishment of the baron, when, notwithstanding their destitute condition, he gave orders for the troops to hold themselves in readiness to march at a moment's notice. In vain De Kalb protested, but his reply was "that plentiful supplies of rum and rations were on the way, and would overtake them in a day or two"—assurances that were never verified. Early on the morning of the 27th, the army was put in motion over Buffalo Ford on the direct road to Camden. Colonel Otho Holland Williams, De Kalb's adjutant-general, remonstrated with Gates upon this precipitate and inconsiderate step. He "represented that the country through which he was about to march, was by nature barren, abounding with sandy plains, intersected by swamps, and very thinly inhabited; that the little provisions and forage which were produced on the banks of its few small streams were exhausted, or taken away by the enemy, and by the hordes of tories who had retired from what they called the persecution of the rebels, and who would certainly distress his army, small as it was, by removing out of his reach what little might remain. On the other hand, the colonel represented that a route about northwest would cross the Pee Dee river somewhere about where it loses the name of Yadkin, and would lead them to the little town of Salisbury, in the midst of a fertile country, and inhabited by a people zealous in the cause of America.

GENERAL GATES.

"That the most active and intelligent officers had contemplated this route with pleasure, not only as it promised a more plentiful supply of provisions, but because the sick, the women and children, and the wounded, in case of disaster, might have an asylum provided for them at Salisbury or Charlotte, where they would remain in security, because the militia of the counties of Mecklenburg and Rowan, in which these villages stand, were staunch friends."

Colonel Williams made a number of other suggestions to General Gates, but the latter only promised that he would confer with his general officers at noon.[1]

"After a short halt at noon, when the men were refreshed upon the *scraps* in their *knapsacks*, the march was resumed. The country exceeded the representation that had been made of it—scarcely had it emerged from a state of sterile nature—the few rude attempts at improvement that were to be found, were, most of them, abandoned by the owners, and plundered by the neighbors. Every one, in this uncivilized part of the country, was flying from his home, and joining in parties, under adventurers, who pretended to yield them protection until the British army should appear—which they seemed confidently to expect. The distresses of the soldiery daily increased—they were told that the banks of the Pee Dee were extremely fertile—and so indeed they were; but the preceding crop of corn (the principal article of produce) was exhausted, and the new grain, although luxuriant and fine, was unfit for use. Many of the soldiery, urged by necessity, plucked the green ears, and boiling them with the lean beef which was collected in the woods, made for themselves a repast, not unpalatable, to be sure, but which was attended with painful effects. Green peaches were also substituted for bread, and had similar consequences. Some of the officers, aware of the risk of eating such vegetables, and in such a state, with poor fresh beef, and without salt, restrained themselves from taking anything but the beef itself, boiled or roasted. It occurred to some that the hair-powder, which remained in their bags, would thicken soup, and it was actually applied. The troops, notwithstanding their disappointment in not being overtaken by a supply of rum and provisions, were again amused with promises, and gave early proof of that patient submission, inflexible fortitude and undeviating integrity, which they afterwards more eminently displayed."

On the 3d of August, this almost famished army, of which two-thirds were suffering with the dysentery, crosssed the Pee Dee in bateaux, at Mask's Ferry, and met, on the southern bank, Lieutenant Colonel Porterfield and a small detachment of Virginians, who had been wandering around the country since the disaster at Charleston.

"The expectation, founded on assurances, of finding a plentiful supply of provisions at May's Mill, induced the troops again to obey the order to march, with cheerfulness; but, being again disappointed, fatigued and almost famished, their patience began to forsake them, their looks began to be vindictive; mutiny was ready to manifest itself, and the most unhappy consequences were to be apprehended; when the regimental officers, by mixing among the men and remonstrating with them, appeased murmurs, for which, unhappily, there was too much cause. The officers, however, by appealing to their own empty canteens and mess-cases, satisfied the privates that all suffered alike; and, exhorting them to exercise the same fortitude, of which the officers gave them the example, assured them that the best means of extricating themselves from the present distress should be immediately adopted; that if the supplies, expected by the general, did not arrive very soon, detachments should go from each corps, in all directions, to pick up what grain might possibly be found in the country, and bring it to the mill.

[1] "*A narrative of the Campaign of 1780, by Col. Otho Holland Williams, Adjutant-General*," in the Appendix to Johnson's *Life of Greene*, p. 485.

As we have before stated, we prefer to quote liberally from authentic contemporary documents, and not rely upon garbled extracts made by others. We shall greatly rely upon this narrative of Colonel Williams for our sketch of the Southern Campaign in 1780, as it is an authentic fragment of original history, of which the writer says that "a regard to facts, to which he thinks may possibly hereafter be called to testify on oath, obliges him to state them faithfully as they occurred."

"Fortunately, a small quantity of Indian-corn was immediately brought into camp—the mill was set to work, and as soon as a mess of meal was ground it was delivered out to the men; and so, in rotation, they were all served in the course of a few hours—more poor cattle were sacrificed—the camp kettles were all engaged—the men were busy, but silent, until they had each taken his repast; and then all was again content, cheerfulness and mirth. It was as astonishing as it was pleasing, to observe the transition."

General Gates observed all that was passing in the camp, and the critical disposition of his troops. Conscious that he was accountable to the army for the steps he had taken, he told Colonel Williams, his deputy adjutant-general, that he had in a measure been forced to take the route he had done, from the fact that General Caswell and his militia had failed to form a junction with the main army. "Dangerous as deceptions had been," says Colonel Williams, "it was still thought expedient to flatter the expectation of the soldiery with an abundance of provisions, so soon as a junction could be formed with the militia; therefore, after collecting all the corn which was to be found in the neighborhood of May's Mill, and huckstering all the meal that could be spared from our present necessities, the march was resumed towards Camden." On August 7, 1780, the much desired junction took place with the North Carolina militia at the Cross Roads, about fifteen miles east of the enemy's position, on Lynch's Creek. On the 13th, they encamped at Clermont, otherwise called Rugley's Mills, about twelve miles from Camden, and on the following day were reinforced by a brigade of seven hundred militia, under General Stevens.

On the approach of Gates, Lord Rawdon had concentrated his forces at Camden, in a position flanked by the Wateree river and Pine-Tree Creek, and strengthened with redoubts. He was joined here on the 14th by Lord Cornwallis. On the same day General Sumpter desiring to capture the enemy's wagon train from Charleston, sent an express to General Gates soliciting a reinforcement of regulars. Gates accordingly sent Colonel Woolford, of the Maryland Line, with one hundred regulars, a party of artillery, and two brass field-pieces. With a view to support Sumpter and to occupy the attention of the enemy, Gates moved with his main force to take post about seven miles from Camden. On the same evening, the 15th of August, by a singular coincidence, Lord Cornwallis, with a force of three thousand men had marched out of Camden to attack the American camp at Clermont. Both armies, ignorant of each other's intentions, moved about the same hour of the night, and approaching each other, met about half way between their respective encampments, at midnight of the 15th of August. The first intimation of the approach of the two armies was given by a heavy skirmish which took place between their advanced guards. The cavalry of Armand's legion, which was in the American advance, were soon thrown into confusion, and recoiling suddenly on the first Maryland brigade, occasioned a general disorder, in which Lieutenant Colonel Porterfield, of the Virginia regulars, was mortally wounded. Order, however, was soon restored, and the

respective commanders learning from the prisoners the nature of the opposing force, both halted, formed their troops for action, but deferred hostilities until daylight.

During the night, General Gates summoned his officers to a council of war in the rear of his line. General Gates said, "Gentlemen, what is best to be done?" For a few moments all were mute, when General Stevens broke the silence with the question: "Gentlemen, is it not too late *now* to do anything but fight?" No other advice was asked or offered, says Colonel Williams, and all were required to repair to their respective commands, though Baron de Kalb was of the opinion that they should regain their old position at Clermont, and there await the attack.

Orders were issued by General Gates to form the line of battle, which was soon carried out under the direction of the adjutant-general. The second Maryland brigade, commanded by General Gist, including the Delaware battalion, was posted on the right under Baron de Kalb. The Virginia militia, under Stevens, were on the left, Caswell with the North Carolinians formed the centre. The artillery was in battery on the right and centre near the road. Each flank rested on a marsh. The first Maryland brigade, under General Smallwood, formed a reserve a few hundred yards in rear of the second. The enemy was formed in one line with reserves in the rear of each flank.

Thus drawn up, the battle of Camden began early on the morning of the 16th of August, by Colonel O. H. Williams with a detachment of about fifty Virginia volunteers attempting to draw the fire of the British line. This expedient, tried for the purpose of sparing and reassuring the militia when they advanced, proved a failure, as the enemy advanced firing and huzzaing, and threw the whole body of General Stevens' militia into such a panic that they fled in the greatest confusion, "few discharged their guns, and fewer still carried them off the field." "The unworthy example of the Virginians was almost instantly followed by the North Carolinians; only a small part of the brigade, commanded by Brigadier General Gregory, made a short pause. A part of Dixon's regiment, of that brigade, next in the line to the second Maryland brigade, fired two or three rounds of cartridge; but a great majority of the militia (at least two-thirds of the army), fled without firing a shot."[1]

Armand's horse also followed the fugitive militia, and a charge of the British cavalry soon put an end to every hope of rallying them. They scattered through the woods and swamps, seeking their homes, and spreading alarm throughout the country.

The devoted Marylanders, having been reduced by sickness to about eight hundred men, with the remnant of the Delaware battalion, were now left to struggle against three times their number. The condition of affairs would have dictated a retreat, but De Kalb was anxious to retrieve the fortunes of

[1] Williams' *Narrative*, p. 496. He says: "The writer avers it of his own knowledge, having seen and observed every part of the army, from left to right, during the action."

the day, and besides, a post had been assigned him, and he nobly maintained it, waiting for orders from the commander-in-chief, who had fled from the field.

Cornwallis, elated with success, ordered Rawdon to charge upon the second brigade. Major General Baron de Kalb, now fighting on foot with these brave Marylanders, met the enemy with great firmness. Lieutenant Colonel Howard, at the head of Williams' regiment, drove the opposing enemy before him. "Rawdon," says Lee, "could not bring the brigade of Gist to recede:—bold was the pressure of the foe; firm as a rock the resistance of Gist. Now the Marylanders were gaining ground."[1] Williams adds, "they even advanced upon them, and had taken a number of prisoners, when their companions of the first brigade (which formed the second line), being greatly outflanked, and charged by superior numbers, were obliged to give ground. At this critical moment, in the absence of General Smallwood, Colonel Gunby, Major Anderson and a number of other brave officers, assisted by the deputy adjutant-general and Major Jones, one of Smallwood's aids, rallied the first brigade and renewed the contest. Again they were obliged to give way; and were again rallied; the second brigade were still warmly engaged; the distance between the two brigades did not exceed two hundred yards; their opposing flanks being nearly upon a line perpendicular to their front. At this eventful juncture, the deputy adjutant-general, (Colonel O. H. Williams,) anxious that the communication between them should be preserved, and wishing that, in the almost certain event of a retreat, some order might be sustained by them, hastened from the first to the second brigade, which he found precisely in the same circumstances. He called upon his own regiment (the 6th Maryland) not to fly, and was answered by the lieutenant-colonel, Benjamin Ford, who said: 'they have done all that can be expected of them—we are outnumbered and outflanked—see the enemy charge with bayonets.' The enemy having collected their corps, and directing their whole force against these two devoted brigades, a tremendous fire of musketry was, for some time, kept up on both sides, with equal perseverance and obstinacy, until Lord Cornwallis, perceiving there was no cavalry opposed to him, pushed forward his dragoons, and his infantry charging at the same moment, with fixed bayonets, put an end to the contest. His victory was complete. All the artillery and a very great number of prisoners, fell into his hands—many fine fellows lay on the field—and the rout of the remainder was entire; not even a company retired in any order; every one escaped as he could."[2]

None showed more gallantry on this disastrous day than the Baron de Kalb. In the hope of gaining a victory, he led a bayonet charge with Gist's second Maryland brigade, drove the division under Rawdon, took fifty prisoners, but fell exhausted after receiving eleven wounds. His aid-de-camp, Dubuysson, supported him in his arms, and was repeatedly wounded in pro-

[1] Lee's *Memoirs of the War in the South.* [2] Williams' *Narrative.*

tecting him. De Kalb died on the third day after he was wounded, dictating in his last moments the following letter to Generals Smallwood and Gist expressive of his affection for the officers and men of his division who had so nobly stood by him in this deadly strife:

"*Charlotte, August 26th, 1780.*

"Dear Generals:

"Having received several wounds in the action of the 16th instant, I was made a prisoner with the honorable Major-General the Baron de Kalb, with whom I served as aid-de-camp and friend, and had an opportunity of attending that great and good officer during the short time he languished with eleven wounds, which proved mortal on the third day.

"It is with pleasure I obey the Baron's last commands in presenting his most affectionate compliments to all the officers and men of his division; he expressed the greatest satisfaction in the testimony given by the British army of the bravery of his troops, and he was charmed with the firm opposition they made to superior force when abandoned by the rest of the army. The gallant behaviour of the Delaware regiment and the companies of artillery attached to the brigades, afforded him infinite pleasure, and the exemplary conduct of the whole division, gave him an endearing sense of the merit of the troops he had the honor to command.

"I am, dear generals, with regard and respect,

"Your most obedient humble servant,

"LE CHEVALIER DUBUYSSON.

"To Brigadier Generals Smallwood and Gist."

The Baron de Kalb's death was deeply lamented in Maryland and his memory honored. As a testimonial of their respect and gratitude, the legislature passed an Act granting the right of citizenship to his sons, a copy of which they ordered to be transmitted to his wife; and congress on the 14th of October, 1780, passed the following resolution:

"*Resolved*, That a monument be erected to the memory of the late Major General the Baron de Kalb, in the City of Annapolis, in the State of Maryland, with the following inscription:

SACRED TO THE MEMORY OF

THE BARON DE KALB,

KNIGHT OF THE ROYAL ORDER OF MILITARY MERIT,

BRIGADIER OF THE ARMIES OF FRANCE,

AND

MAJOR-GENERAL IN THE SERVICE OF THE UNITED STATES OF AMERICA.

Having served with honor and reputation for three years, He gave a last and glorious proof of his attachment to the liberties of mankind and the cause of America, in the action near Camden, in the State of South Carolina, on the 16th of August, 1780, where, leading on the troops of the Maryland and Delaware Lines against superior numbers, and animating them by his example to deeds of valor, He was pierced with many wounds, and on the 19th following expired, in the 48th year of his age. The Congress of the United States of America, in gratitude to his zeal, services and merit, have erected this monument."

On the same day they "Resolved, That the thanks of congress be given to Brigadiers Smallwood and Gist, and to the officers and soldiers of the

Maryland and Delaware lines; the different corps of artillery; Colonel Porterfield's and Major Armstrong's corps of light infantry, and Colonel Armand's cavalry for their bravery and good conduct, displayed in the action of the 16th of August last, near Camden, in the State of South Carolina." To the disgrace of the country, the monument to the heroic de Kalb has never been erected. The present writer introduced a series of resolutions in the Maryland Legislature of 1878, which were passed, requesting congress to carry out its action of 1780. Congress erected a tomb for de Kalb in the cemetery at Camden, of which Lafayette, in 1825, laid the corner stone.

To add to the mortification of Gates, he learned in the course of his retreat that Sumpter and Colonel Woolford had been completely successful, and had captured forty loaded wagons and three hundred prisoners. As soon as Cornwallis received this intelligence, on the 17th of August, he detached Colonel Tarleton with his legion and a corps of mounted infantry to pursue Sumpter and Woolford. Tarleton crossed the Wateree, and by a forced march, arrived before Sumpter's camp near Catawba Ford, which he surprised, and after a slight resistance, three or four hundred of the Americans were killed, wounded and captured. Tarleton also captured all their arms and baggage, with two brass field-pieces, and recaptured the prisoners and booty taken near Camden. Sumpter, with about one-half of his force, escaped; Lieutenant Colonel Woolford was wounded and taken prisoner.

The loss sustained by the Americans in these two disasters were three lieutenant-colonels, two majors, fifteen captains, thirteen subalterns, two staff officers, fifty-two non-commissioned officers, seventy-four musicians and seven hundred and eleven rank and file. The loss of the British in killed and wounded amounted to about three hundred. The Maryland Line, it is estimated, lost over six hundred, a very large proportion of whom were killed and wounded. The loss in valuable officers was severe; it had to lament, besides its distinguished leader de Kalb, Captain Williams, of the sixth regiment; Captain Duval, of the second regiment; Lieutenant and Adjutant Coleman, of the artillery, who were killed. Among the wounded were Lieutenant Colonel Woolford, of the fifth regiment; Captain Sommerwell, sixth and Gibson, fifth; Major Winder, first; Captain Brice, third; Hoops, Lynch and Hamilton, of the fifth; Morris, of the seventh; Hardman, of the second; and Smith, of the third regiments; and Dorset, of the artillery. Also, Lieutenants Duvall and Sears, of the third regiment; Shoemaker and Hanson, of the fourth; Norris and Nelson, of the sixth; Rutledge, of the fourth; and Ensigns Fickle, of the seventh; Burgis, of the fourth; and Lieutenants Wallace and Moseley, of the artillery. Missing: Captain Gassaway, of the third regiment; Lieutenants Gassaway, of the second; Harris, of the fifth; and Ensign Mason, of the second; and Captains Blair and Meredith, of the artillery.

General Gates and Caswell arrived at Charlotte on the night of the action. On the following day Caswell was requested to remain there to rally the

militia of the State, but Gates believing that he could receive no effectual succor short of Hillsborough, where the legislature of North Carolina was about to convene, hastened to that place, where he was followed on the next day by Caswell. On the 18th, General Gist and a few of his men who had joined him on his retreat, arrived at Charlotte, and was joined on the same afternoon by General Smallwood, "escorted by one of his aides, and two or three other gentlemen, and about as many soldiers, all mounted," who had come by way of the Wateree. Colonel Gunby, Lieutenant Colonel Howard, Lieutenant Colonel Hall and Major Anderson, of the Maryland Line, and Captain Kirkwood, of the Delaware battalion, with a few other officers, and fifty or sixty men, formed a junction on the route and arrived at Charlotte together. These officers immediately proceeded to collect the remnants of the American army, and with the assistance of Colonel Sumpter's force, they hoped to keep up some appearance of opposition to the enemy until the militia of the State could be collected and the troops of the Southern States could be called into service by congress. All day of the 18th, irregular squads of men arrived in the town, and on the morning of the 19th, the officers of the various commands, encouraged by the force that was now collected, and the favorable prospect of affairs, began to think of re-organizing their shattered army. No order, since the disaster at Camden, had as yet been attempted; but now the privates were formed into ranks, and the officers adjusted the respective commands they were to take. Every one, however, had taken upon himself the care of the wounded, the collection of prisoners and the transportation of such baggage as would alleviate the general distress.

In the midst of the preparations on the 19th, these unfortunate men received intelligence that Colonel Sumpter, whose arrival they had been looking for with so much encouragement, "was completely surprised, the preceding day, and his whole party killed, captured or dispersed."

Charlotte being an open defenceless place, with no magazines, and the fugitive army without a second cartridge or ration to a man, and as the victorious enemy might enter the town at every quarter, at any moment, the officers, who had assembled "about the public square," determined to abandon the place.

"Brigadier-General Smallwood, who quartered himself at a farm-house a little way from town, appeared at this crisis, approaching the parade in his usual slow pace. As senior officer, his orders would have been obeyed, even to setting about fortifying the village. But being informed of what has just been related, and concurring in the general sentiment, he leisurely put himself at the head of the party, and moved off towards Salisbury. The deputy adjutant-general, and Brigade Major Davidson, took the route to Camden, in order to direct all they might meet, to file off towards Salisbury. The small parties that had attached themselves to Colonel Gunby and Colonel Howard, were met near town, and an express was sent to Major Anderson who had, to no purpose, spent some time in endeavors to bring off some wagons, which had escaped

beyond the pursuit of the enemy, and were left without horses. By noon a very lengthy line of march, occupied the road from Charlotte to Salisbury. It consisted of the wretched remnant of the late southern army: a great number of distressed whig families, and the whole tribe of Catawba Indians (about three hundred in number, about fifty or sixty of whom were warriors, but indifferently armed);[1] among the rest were six soldiers, who left the hospital with other convalescents; they had all suffered in Buford's unfortunate affair,[2] and had but two sound arms among them, indeed, four of them had not one arm among them; and two only an arm apiece; each of them had one linen garment. Those officers and men, who were recently wounded, and had resolution to undertake the fatigue, were differently transported; some in wagons, some in litters, and some on horseback—their sufferings were indescribable. The distresses of the women and children, who fled from Charlotte and its neighborhood, the nakedness of the Indians, and the number of their infants and aged persons, and the disorder of the whole line of march, conspired to render it a scene too picturesque and complicated for description. A just representation would exhibit an image of compound wretchedness—care, anxiety, pain, poverty, hurry, confusion, humiliation and dejection, would be characteristic traits in the mortifying picture. . . . Brigadier General Smallwood continued the march of the regular infantry to Salisbury, and arrived the third day after."[3]

Here he detached about one hundred and fifty effectives, and placed them in camp, and sent the remainder of his force—about fifty or sixty with the wagons, females, etc., across the Yadkin River. His effective force he officered according to his pleasure, and allowed Colonels Hall, Williams and Howard to proceed to Hillsborough.[4]

Upon the retreat of the American army from Charlotte, the militia of North Carolina were disposed to organize themselves, and protect the country from the incursions of the enemy, which might be expected from Camden. They requested Major Anderson, who had remained in Charlotte, to invite General Smallwood to return; and as an inducement to do so, offered him the chief command of all the militia in Mecklenburg. General Smallwood, however, declined the honor, and sent Lieutenant Colonel Ford, with instructions to Major Anderson, to join him without delay at Salisbury. The order was executed, and the disappointed militia of Mecklenburg and Waxsaws, not to be discouraged, formed themselves into small partisan corps and did good

[1] The tribe of Catawba Indians were good friends of the Americans; they left their villages on the Wateree, and followed the remnant of the army to Charlotte.

[2] Colonel Buford's South Carolina legion was successfully surprised by Colonel Tarleton, first at Monk's Corner, and afterwards at Lenud's Ferry, on the Santee River. In the last engagement, Buford's whole command with the exception of himself and a few men who cut horses from the wagons, were butchered while imploring quarter.

[3] Williams' *Narrative.*

[4] Colonel Williams in his interesting narrative which bears the stamp of the talents and excellence of an officer of whom his State is justly proud, observes that "at Salisbury, one hundred and twenty or thirty miles from the scene of the late action, Smallwood took time to dictate those letters which he addressed to congress, and in which he intimated the great difficulties he had encountered, and the exertions he had made to save a remnant of General Gates' army. Letters which, with the aid of those he addressed to his friends in power, procured him, it was generally believed in the line, the rank of major general in the army of the United States; and which, probably, promoted the resolution of congress, directing an inquiry into the conduct of General Gates." Smallwood was made major general by congress on the 15th of September, 1780. He was an unpopular officer. *Chronicles of Baltimore*, p. 183.

service in harassing and combating the enemy, that afterwards invaded that country. The unfortunate Gates, while at Hillsborough, heard from the officers who arrived there that his army was not as completely ruined as he had apprehended; and he thereupon applied to the legislature for the supplies necessary to re-organize his force. To enable him to ascertain the number of effective troops under his command, he wrote to General Smallwood, who, it seems, had assumed the command, to cross the Yadkin River with the remnants of his army, and proceed to Hillsborough. This order, General Smallwood had anticipated, for when it was received he had already passed the Yadkin, and was on his march to Guilford Court House. Here the troops were halted, and disregarding the orders of General Gates, Smallwood "wrote to the Assembly of the State, intimating that with their approbation, he would continue there until other arrangements should be resolved on." The legislature of North Carolina very properly refused to interfere in a matter which might involve a question of authority between these two continental officers, and respectfully referred the matter to General Gates. General Gates did not entirely disapprove of the proposition of General Smallwood, but requestod that returns of the force under him should be forwarded without delay, and gave him to understand that he was still the commander-in-chief of the southern army. Smallwood, soon after the receipt of these instructions, arrived at Hillsborough with the broken remains of the army. They were camped in tents near the court-house, where the legislature convened, and others in the houses of the inhabitants. The assembly, in the meantime, doing all that was practicable for their relief. Soon after the arrival of Smallwood in Hillsborough, General Gates convened a board of officers who determined that all the effective men should be formed into two battalions and one regiment; that the sick and convalescent troops should remain in camp; all the invalids to be sent home, and the supernumerary officers to repair to their respective States to assist in the recruiting service. The new regiment was placed under the command of Lieutenant Colonel Otho H. Williams and Lieutenant Colonel Howard, and the two battalions under Majors Anderson and Hardman. As soon as these officers assumed command, they began to restore order and discipline among the troops. Before the supernumerary officers departed for their homes they made returns of their respective commands, from which we find that the total number of Maryland troops under Gates at this time was, three colonels, four lieutenant-colonels, five majors, thirty-eight captains, fifty subalterns, twenty-four staff officers, eighty-five non-commissioned officers, sixty-two musicians, and seven hundred and eighty-one rank and file. The Delaware battalion numbered four captains, seven subalterns, three staff officers, nineteen non-commissioned officers, eleven musicians, and one hundred and forty-five rank and file, in actual service. Eleven commissioned officers and thirty-six privates of the Delaware regiment fell into the hands of the enemy.[1]

[1] The State of Delaware furnished to the war one regiment; and its commanders, Lieutenant Colonel Vaughn and Major Patton, being taken prisoners at the battle of Camden, its remnant,

Thus it will be seen that upon bringing together the little remnant of the southern army, it was found that the whole of the arms in the Maryland Line, including those who had been left in the rear on the day of the action, amounted to six hundred and ninety-seven rank and file, and eighty non-commissioned officers and musicians, making a total of seven hundred and seventy-seven; Delawares, one hundred and seventy-five; Virginians, fifty; North Carolinians none. On the advance of General Gates towards Camden, two brass field-pieces, which he had left under a small guard at Buffalo Ford for want of horses to draw them, were brought into camp, and with a few iron pieces gathered at Hillsborough, were formed into an artillery company, and Captain Anthony Singleton, of Virginia, placed in command. The southern army, composed of one regiment of Maryland and two companies of Delaware troops, with one company of artillery, was now brigaded, and Brigadier General Smallwood placed in command. Upon the formation of this brigade, the troops were withdrawn from the town and tented in the immediate neighborhood, where, by the perseverance of their officers and their own good dispositions, they soon resumed their wonted discipline. Colonel Williams says:

"The usual camp-guards and sentinels being posted, no person could come into or go out of camp without a permit. Parade duties were regularly attended, as well by officers as soldiers, and discipline not only began to be perfectly restored, but even gave an air of stability and confidence to the regiment, which all their rags could not disguise. In this encampment no circumstance of want or distress was admitted as an excuse for relaxing from the strictest discipline, to which the soldiers the more cheerfully submitted, as they saw their officers constantly occupied in procuring for them whatever was attainable in their situation. Absolutely without pay, almost destitute of clothing, often with only a half ration, and never with a whole one, (without substituting one article for another,) not a soldier was heard to murmur, after the third or fourth day of their being encamped. Instead of meeting and conferring in small squads, as they had formerly done, they filled up the intervals from duty with manly exercises and field sports; in short, the officers had very soon the entire confidence of the men, who divested themselves of all unnecessary care, and devoted themselves to duty and pastime, within the limits assigned them.

"The docility and contentment of the troops were the more extraordinary, as they were not unfrequently reminded, (when permitted to go into the country,) how differently the British troops were provided for.

"The article of rum, the most desirable refreshment to soldiers, was mentioned among other inducements for them to desert; but, so great was their fidelity to the cause, or so strong their attachment to their fellow sufferers and soldiers, that they not only rejected the most flattering propositions to go over to the enemy, but they absolutely brought some of the most bold and importunate incendiaries into camp, who were delivered to the civil authority, and some of them punished."

Mr. William Johnson, of South Carolina, in his *Sketches of the Life and Correspondence of Nathaniel Greeene*, published in 1822, who had unusual

less than two companies, were now placed under the command of Kirkwood, senior captain. Owing to his reduced force, and a defect in the organization of the army, Kirkwood retired, upon peace, with the rank of captain only. He was killed in St. Clair's army, in the war against the Indians, on the 4th of November, 1791. He was a brave and meritorious officer.

opportunities to judge of the merits of the Marylanders who fought in the Southern campaign of 1780, in commenting upon this noble action, observes:

"When the Pennsylvania line revolted, and yet had the fidelity to deliver up the agents sent among them by the enemy, a corrupt world gazed with astonishment on an instance of such fidelity exhibited under such circumstances. But, though it has never been told, the example had been set by the soldiers under Williams; but it was in a remote part of America, and no effort was made to blazon it to the world. It is known that emissaries had been sent from Camden into the neighborhood of Hillsborough, and some of them who ventured to tamper with the American troops were actually delivered up by them to the civil authority and punished."

From the 16th of August to the 7th of September, Lord Cornwallis remained at Camden, resting his army, preparing for an advance. On the 7th, at the head of a large force, he took up his line of march for Charlotte, while Colonel Ferguson, an active and intelligent British partizan, by an oblique route, moved from Ninety-Six towards the same point. At once the militia of South Carolina and Georgia, under Cleveland, Williams, Lacy and Brenna, leaving their families behind them, flew to arms, determined to make a stand in some of the mountain passes through which the invaders under Ferguson must penetrate. By concert of action, six thousand of the patriots of the country gathered at a place called Gilberttown. Astonished at finding such a formidable force before him, Ferguson attempted a retrograde movement, but was overtaken on the 7th of October, at King's Mountain, near the borders of North Carolina by nine hundred and ten picked men under the command of Colonel Arthur Campbell, with Cleveland, Seviere, Shelby and Williams. After a severe conflict of one hour, one hundred and fifty of Ferguson's men were killed, three or four hundred were wounded, and himself and his whole command, consisting of eleven hundred men, including the wounded, with fifteen hundred stand of arms, fell into the hands of the Americans.

Lord Cornwallis had passed through Charlotte and was advancing to Salisbury, where he received intelligence of the disaster at King's Mountain. He immediately recrossed the Catawba at Land's Ferry, on the 14th of October, 1780, and took a position at Winnsborough, on the 29th.

The advance of Cornwallis towards North Carolina had stimulated the authorities of that State in taking measures to repel the threatened invasion; while the militia were collecting in large numbers at Hillsborough, provision was made, not only to equip this force for the field, but also to meet, in a partial degree, some of the most pressing needs of the regular army, the chief of which was the want of clothing. The command of the militia had, at the request of the assembly in September, been conferred on General Smallwood, and Colonel Daniel Morgan, who arrived at Hillsborough about this time, was, on the 30th, invited to take a command in the same force. The latter, however, declined the honor, and the former assuming his new command, Colonel Otho H. Williams was placed at the head of the brigade of the Maryland Line. General Gates now formed the plan of a legionary corps of

light troops, to be raised out of the ranks of the army, the command of which he gave to Morgan. From Colonel Williams' Maryland regiment four companies of picked men were selected and formed into a light infantry battalion, the command of which was given to Lieutenant Colonel John Eager Howard. To these were added a company of riflemen under Major Rose. About the first of November, Colonel White's and Colonel William Washington's dragoons, about seventy in number, arrived in camp, and were united to the commands of Howard and Rose, and the whole placed under Brigadier General Daniel Morgan.[1]

The diminution of the Maryland regiment, by the detachment of these four companies from it, was restored by the arrival of a large number of recruits from Maryland. Upon receiving a small supply of clothing from the State agents, each man in the brigade was supplied with one new shirt, a short coat, a pair of woolen overalls, a pair of shoes and a hat or cap; and every other provision was made to prepare the men for the field. Colonel Williams says: "The officers exerted themselves, and the soldiers were emulous who should be the first in readiness to march. Even the convalescents were impatient of being left behind—so generally had the martial spirit revived in the soldiery."

Everything being in readiness for a forward movement, on the 2d of November, the brigade took up its line of march for Charlotte. The North Carolina militia, under Smallwood, had, a few days before, advanced and taken a permanent position at Providence, about fourteen miles south of Charlotte. Morgan and his legion advanced to the vicinity of Clermont and Camden, but, receiving orders, returned to Charlotte, where Major General Greene, on the 4th of December, 1780, relieved General Gates of the command of the army.[2]

Having followed the movements of the southern army, under General Gates, through the campaign of 1780, we will now revert to the first assembly of the year, and note the internal affairs of the State. The legislature met on the 23d of March, 1780, and among the first Acts passed was one extending the bounties passed at the last session, to those who would enlist between the 1st of April and the 1st of August following. During the last session, owing to the depreciation of the currency, the members of the legislature had increased their pay from twenty-five shillings per day to three

[1] Congress appointed him brigadier-general on the 13th of October, but he was not advised of the fact until the 27th.

[2] Upon the arrival of General Greene at the American camp, he transmitted to General Smallwood the following letter he had brought from General Knox:

"CAMP, BERGEN COUNTY,
"STATE NEW JERSEY, 23d October, 1780.

"*Dear General*—I take the opportunity, by General Greene, to inquire how you sustain the fatigues and hardships of war, in a southern climate. I suppose you must find it agreeable in some degree, as it has produced you such a harvest of glory. The affair of Camden will not be more remarkable for its adverse circumstances, than for the firm gallantry of the Maryland Line. The veterans of the army here admire their conduct, and ardently wished to have been in such numbers, side by side with their old companions, as to have enabled them to have gained a victory, which their bravery so richly merited."—*Maryland Papers Seventy-Six Society*, p. 116.

pounds current money, and now, "to compel the attendance of the members of the General Assembly," they passed an Act imposing "a fine of £25 on each member for every day's absence without such an excuse as shall be admitted by his respective branch of the legislature, or a written resignation." By another Act, they declared that the citizens of Maryland, "from the Declaration of Independence, and forever thereafter, be, and they are hereby declared to be exonerated and discharged from the payment of quit-rents" to the Lord Proprietary, or "to the subject of a foreign prince," and "that the same shall be forever abolished and discontinued."[1]

After passing a law giving the subjects of France the same rights and privileges as citizens of the State, the legislature, on the 16th of May, 1780, adjourned. It again assembled on the 12th of June, and took into immediate consideration a large number of important measures. Among the first Acts passed was one appointing commissioners in each county to solicit loans, in bills of credit, tobacco or specie, for which they were to give receipts. Upon such receipts being produced to the Western Shore Treasurer, he was to issue to the holders certificates, bearing interest from the day of the loan, and payable (if specie) one year after the war, or within three years from the date; if tobacco, within three years, and to be discounted out of the public assessment; and if for paper, payable by the first of January following. A law was also passed in accordance with the Act of Congress of March 18th, 1780, for the redemption of the State's proportion of the continental paper, by an issue of State paper at the rate of one dollar for thirty-three and a third of the continental. The faith of the State was pledged for the redemption of her issues, and a sinking fund was established for the purpose. The new bills were made a legal tender at the rate of £166, 13*s.* 4*d.*, for every £100 sterling, and at par for current money debts. An Act was also passed for the establishment of a bank "for the purpose of procuring provisions and other supplies for the army," and otherwise facilitating the financial affairs of the State. By this Act contracts made in gold or silver, were to be paid in the same coin; and the bills of credit issued by congress and by Acts of assembly and resolves of conventions, and made a legal tender in all cases by the Act of February session 1777, were by this Act not "a tender or payment for any debt, promise, contract or agreement, created or made after the passing this Act, unless by agreement of the parties." The Act which imposed a penalty on persons refusing to sell goods, wares, merchandise, etc., for a less price in gold or silver than for bills of credit, was also repealed. By this Act the State became security for the indemnification and repayment of all citizens who would pledge their property and credit for the establishment of this bank; and it was also—

[1] Quit-rents were the annual rents, like our present system of ground rents, reserved by the Lord Proprietary in his grants, and were to be perpetually paid from year to year by the owner of the land granted, in acknowledgment of the tenancy. It is said his revenues from this source before the Revolution amounted to about £30,000 a year.

"*Enacted*, That the patriotic and virtuous citizens of this State be requested to subscribe and to pledge their property and credit for the establishment of a bank, for the express and sole purpose of procuring provisions and other necessary supplies for the army, to any amount not exceeding one hundred and fifty thousand pounds currency, payable in gold or silver. Any number of persons were authorized to subscribe by giving or executing mortgages, bonds or other securities, to directors to be appointed by them, but no person was allowed to vote unless he had subscribed two hundred pounds. The directors of the bank were authorized to borrow money on the credit of the bank for one year, or any shorter period, and give their notes as security, bearing six per cent. interest. They were also empowered to employ one or more persons to purchase provisions and other necessaries, as the Governor and Council may inform them of the necessities of the army. The State pledged 'their faith and honor to the subscribers to the bank, to pay them any sum of money by them subscribed and advanced, in specie, with interest, and to pay the charges attending the transacting the business of the bank, and the purchase of provisions and other necessaries for the army.'"[1]

On the 2d of June, Philip Schuyler, John Mathews and Nathaniel Peabody, a committee from congress in camp, sent a circular letter to all the Eastern and Middle States, representing the condition of the army, and the necessity of complying as soon as possible with the requisitions of congress

[1] At this critical period, when the State was without credit or means, when there was the greatest difficulty in procuring supplies for the army, and no slight danger of its dissolution for the want of supplies to keep it together, the members of the legislature, at this session, raised among themselves the following subscription:—

"ANNAPOLIS, June 16th, 1780.

"The General Assembly having, by the Act for a loan, called on the citizens of this State to advance paper money, tobacco, or specie, to assist their country in the present hour of distress and difficulty, we, the subscribers, members of the Senate and House of Delegates, have subscribed the sum of paper money, tobacco, or specie, to our names respectively annexed, according to our abilitities and circumstances, to be paid on or before the twentieth day of July next:

"Dan. of St. Thomas Jenifer, $2,000 paper money, 5 hogsheads tobacco; Mat. Tilghman, 4 hogsheads tobacco; Charles Carroll, of Carrollton, 10 hogsheads tobacco; T. Stone, £500 currency, 3 hogsheads tobacco; Brice B. Worthington, 2 hogsheads tobacco; Wm. Hindman, 2 hogsheads tobacco; Richard Barnes, 10 hogsheads tobacco; Joseph Sim, £500 currency, 4 hogsheads tobacco; Upton Sheredine, £750 paper money; Jona. Beall, 6 hogsheads tobacco; Samuel Chew, 10 hogsheads tobacco; Philip Key, £1,500 paper money, 10 hogsheads tobacco; Thos. F. Euleston, 2 hogsheads tobacco, $3 specie; John L. Wilmer, £2,000 paper money; John Mackall, 3 hogsheads tobacco; Pere Letherbury, £375 paper money; Wm. Stevenson, £500 paper money; Nichs. Worthington, 3 hogsheads tobacco; William Fitzhugh, 3 hogsheads tobacco; J. Hall, £375 paper money, 2 hogsheads tobacco; Nichs. Maccubbon, Jr., £1,125 paper money; Charles Williamson, £500 paper money; Alex. Ham. Smith, 2 hogsheads tobacco; Frisby Freeland, 2 hogsheads tobacco; John Digges, 1 hogshead tobacco; Warren Dent, 5 hogsheads tobacco; Samuel Hanson Jones, 2 hogsheads tobacco; Rezin Hammond, £150 paper money; H. Banning, £200 paper money, 1 hogshead tobacco; Js. Gibson, 1 hogshead tobacco; C. Birkhead, 1 hogshead tobacco; John Winder, £500 paper money, 2 hogsheads tobacco; Tim. Kirk, £187 10*s.* paper money; David Crawford, £1,000 paper money, 2 hogsheads tobacco; Benj. Hale, £300 paper money, 2 hogsheads tobacco; J. Magruder, 1 hogshead tobacco; W. Bruff, 2 hogsheads tobacco; John Brown, £1,125 paper money; R. T. Earle, as soon as he receives his money from the French Agent, £1,250 paper money; Jacob Ringgold, 3 hogsheads tobacco; Alln. Quynn, £1,000 paper money; Peter Chaille, £750 paper money; Jas. McComas, 1 hogshead tobacco; Benjamin Bradford Norris, £250 paper money; John Taylor, £375 paper money; Matthew Shriver, £375 paper money; W. Keene, when I receive my money for my provision cert., £375 paper money; Hugh McBryde, £750 paper money; David McMeekin, £500 paper money; Mark Alexander, £2,000 paper money, 4 hogsheads tobacco; John Stull, £750 paper money; Jos. Sprigg, £1,000 paper money; James Chasline, £750 paper money; Edward Burgiss, 2 hogsheads tobacco; Thomas Cramphin, Jr., 4 hogsheads tobacco; William Bayly, £225 paper money, 2 hogsheads tobacco, £3 specie; John Smoot, £750 paper money, 1 hogshead tobacco. Subscriptions were also set on foot in all sections of the State, and large sums were contributed.

for troops and supplies. Accompanying the letter of the congressional committee was another circular letter from Washington, in which he urged in a particular manner that the quotas of men should be raised and sent to the army without the least delay. The number specified from Maryland was a quota of four regiments, amounting to two thousand two hundred and five men, who were to rendezvous at the head of the Elk.

This letter of the committee and Washington's were received by the governor while the legislature was in session. He immediately laid them before that body, and they on the 22d of June, through Daniel of St. Thomas Jenifer, President of the Senate, and Jonathan Beall, Speaker of the House of Delegates, addressed the following letter to Washington upon the subject:

"*In General Assembly, Annapolis June 22, 1780.*

"Sir—

"The extreme difficulty of embodying and marching the number of militia required of this State by your Excellency and the Committee of Co-operation; the impracticability of marching them in due time, owing to the total want of camp equipage, arms and accoutrements, the difficulty of procuring wagons and horses, the approaching harvest, and the importance and necessity of securing it, have induced us to lay before your Excellency the following proposition. If it should meet with your approbation, and that of the Committee, we will stretch every nerve to carry it speedily into execution.

"We propose to exert our utmost endeavors to raise two thousand regulars to serve during the war, fourteen hundred and sixty-nine of this number to complete our battalions, according to the late proposed augmentation. The residue we propose to form into a regiment to act in the place of the militia required, and this State will furnish and fill up the regiment to its full complement to join the Continental army, whenever we shall be called on to furnish aid of militia; and we flatter ourselves that, as long as we furnish our quota of regulars and this additional battalion, we shall not be required to furnish militia, unless in cases of extreme exigency.

"This plan, if generally adopted, would put under your Excellency's direction and command a regular and efficient force on which you could constantly depend. It would save a great expense to these States in carriage, provisions, arms and accoutrements. It would conduce to reconcile the minds of the people to the heavy charges of the war, when assured they should be left at home to cultivate their lands and reap the fruits of their industry. It would certainly tend to increase our crops, and afford the means of maintaining a much greater regular army than can be supported under frequent calls of the militia. It would, in some degree, prevent those emigrations of our men westward, which is become a very serious and alarming consideration to these States in general, and to this in particular.

"If your Excellency on a view of all circumstances, should think it more conducive to the public interest to order the fourteen hundred and sixty-nine recruits, destined to fill up our battalions, to join the army under your immediate command, they shall be sent forward with all the despatch in our power.

"If this proposal should meet with your Excellency's approbation, and that of the Committee, it will be necessary we apprehend, to draw from our battalions, under the Baron de Kalb, a number of officers to command, form, and discipline these new recruits.

"If the two thousand two hundred and five militia should be thought absolutely necessary, and preferable to the plan proposed, we will use our utmost endeavors to forward them on; but we fear, however strong our inclination, it will not be in our power to send out that number by the time required."[1]

[1] *Correspondence of the Revolution*, iii., p. 3.

Washington, who was always partial to regular troops in preference to militia, accepted the proposition of the legislature, and they immediately proceeded to put their proposal into effect. At the June session they passed "an Act to procure recruits to complete the battalions of this State in the service of the United States, and to raise an additional regiment if necessary." By this Act they proposed to raise fourteen hundred to serve during the war, and like similar ones passed previously the number was apportioned among the several counties. The militia were to be divided into classes, and each class by the 15th of July, was "to furnish a recruit, take up a deserter, or pay the bounty," not exceeding £15 out of every £100 of the assessed property belonging to this class. Each recruit was to serve during the war and at its conclusion was to receive fifty acres of land, and his property during his service and four years after was to be exempt from taxation. In addition to this law they also passed one "to encourage the raising a volunteer troop of light horse in Baltimore Town, and each county of this State." By this Act any number of militia not exceeding the age of forty-five, nor under fifteen in Baltimore Town, or in any of the counties were authorized to form themselves into a troop of light horse, provided each man found his own arms, horse and equipments. They were to elect their own officers, and when in service receive the same pay, rations and forage as were allowed to the Continental cavalry; and in case of invasion were to act under the direction of the governor in any part of the State. They also passed an Act for procuring "an extra supply of provisions of the bread kind, also wagons and horses, for the use of the Continental army."

The legislature adjourned on July 5, 1780; but before doing so, they issued to the people of the State an able and patriotic address, in which they inform them "of the true situation of their affairs." In this stirring appeal they observe that:

"Duty, as well as inclination, prompts us to lay before you the exigencies and the danger of this, in common with our sister States, to disclose our wants, our resources, and the means of calling them forth in support of the justest cause and noblest ends a people can contend for. The enemy, convinced by fatal experience, that force and artifice alone will never subdue the stubborn spirit of liberty, have long depended on the failure of our public credit to accomplish their views of conquest; the rapid depreciation of our paper currency, principally owing to the not imposing taxes in due time, and somewhat adequate to the public demands, and the abilities of the people to pay, had given foundation to the opinion, that these States, from the want of money to support the war, would at length give up the contest, and bend to the galling yoke of Britain. The event, however, we trust, will discover this opinion to be as vain and delusive as many others entertained by our inveterate foe. The congress has recommended to the States a plan for calling in their bills of credit by taxes or otherwise, which has been adopted by this and several other of the States. Taxes equally laid, quickly collected, and faithfully applied are necessary to give efficacy to the plan, and to restore, and when restored, to preserve, public credit. Experience has taught us the necessity of taxation; a free people, seeing that necessity, and the importance of victory on which their liberty depends, needs no exhortation to submit even with cheerfulness to the heaviest taxes . . . Rise, then, into

action, with that ardor, which despising, overcomes all difficulties, and which led you, destitute of money, of allies, of arms and soldiers, to encounter one of the most powerful nations in Europe. Single, and unsupported, raw and undisciplined, you baffled for three successive years the repeated attacks of numerous and veteran bands. Shall we now, when strengthened by a mighty alliance, droop, and desert the field to which honor, the strongest ties, the dearest interests of humanity invite us? . . How disgraceful would it be to this State were it anyways accessary in laying that great and good man under the humiliating necessity of avowing to our allies an inability to undertake any enterprise of consequence against the common enemy, particularly if that weakness should proceed not from the real liberty of this and the other States, but from the supineness, the avarice, or want of spirit in their people! We have hitherto done our duty; the General has acknowledged our exertions, and we entreat you by all that is dear to freemen, not to forfeit the reputation you have so justly acquired. Let us set an example of fortitude, perseverence and disinterestedness; these virtues form the character of true republicans. Beware, lest an inordinate love of riches should mark too strongly ours; remember, that you entered upon this war, not through choice, but necessity; not to acquire wealth or power, but to preserve liberty and property; remember, that your cause is righteous, that you had not recourse to arms until, the bayonet uplifted to your breasts, a discretionary surrender of all that is valuable to man, was demanded with menaces of hostile force, and with all the insolence of conscious power; remember, too, that you have pledged to each other your lives, your fortunes, and your sacred honor, in defence of those rights, without the enjoyment of which, life is but a misery, and government a curse. . . . . Contemplate, we beseech you, the ravages committed by the British forces on the plains of Jersey; behold the dwellings of the poor and rich in flames, or reduced to ashes; the fruits of long and laborious industry swept instantly away, as by a torrent; view the helpless infant, the aged parent, the tender virgin, victims to the savage fury and unbridled lusts of an insolent soldiery; view these scenes of horror and dismay; rouse and revenge these wrongs, for these, we too, in our turn, shall feel, if we refuse our aid to drive these spoilers and invaders from our land; emulate the conduct of the brave militia of our sister States, the proof of courage and patriotism, which they have exhibited, you cannot but applaud, and therefore must wish to imitate and, if possible, surpass.

"The prize we are contending for is inestimable; the blood of those heroes, which has been shed in this just and glorious cause, the inviolable ties of plighted faith, the necessity of conquering, gratitude to our illustrious general and to the brave men under his command, all conspiring, call aloud for our redoubled efforts. Our army is weak, and reinforced it must be, to act on the defensive or offensively, as circumstances may require: reinforcements proportionable to those demanded from this, are to be furnished by the other States. The fall of Charleston, and the distresses of our brave friends in that quarter have infused fresh vigor into the councils of America; let us, like the Romans of old, draw new resources and an increase of courage, even from defeats, and manifest to the world that we are then most to be dreaded when most depressed."

The people of Maryland nobly responded to the appeal; recruits joined the standard of their State, provisions and supplies of all kinds were tendered to the authorities, and before the close of the year, Maryland had furnished to the continental army 2,065 regular soldiers.

In the midst of these great exertions the progress of the war in the south was anxiously watched, as the most of that gallant and veteran army were citizens of the State. The letters received had given very flattering prospects

of affairs in that quarter, and when tidings arrived of the total defeat of Gates and his army, at Camden, on the 16th of August, it cast a gloom over the entire State.

Washington announced the disaster of Camden and the defeat of Gates in a letter to Governor Lee, as follows:

"*Head Quarters, Bergen County, 6th September, 1780.*

"Sir—

"In consequence of the disagreeable intelligence of the defeat of the army under Major General Gates, which I have just received, I think it expedient to countermand the march of the troops who were ordered from Maryland to join the main army. I am therefore to request your Excellency to give directions for the regiment enlisted to serve during the war, as well as for all the recruits, as soon as they can possibly be collected and organized, to march immediately to the southward, and put themselves under the orders of the commanding officer in that department.

"Although I have not had the particulars of the late disaster, yet it is certain the exigency is such as will demand the most spirited and vigorous measures to retrieve our affairs and check the enemy. And I cannot entertain a doubt that your Excellency and the State will use every exertion to give activity and despatch to the march of the troops, and to all the measures necessary for the protection of the Southern States. I have enclosed this letter open to the Board of War, that, in case the regiment in question is on its march from Maryland it may be ordered to return without delay."[1]

He knew that "Maryland has made great exertions, but she can still do something more," and appealed to her at all times when her help was needed.[2] This trust was never dishonored.[3] On this occasion Maryland sent in September, over seven hundred rank and file and non-commissioned officers to the southern army.

[1] Sparks, vii. p. 186.

[2] *Letter to Reed*, May 28, 1780.

[3] General Greene, in March, 1778, accepted, though with great reluctance, the appointment of quartermaster-general of the army, and soon after, thoroughly established his department in Maryland for the collection of military supplies for the army. On the 3d of September, 1779, he appointed Colonel Henry Hollingsworth, of Cecil County, deputy quartermaster-general for the Eastern Shore; and on the 7th, James Calhoun, of Baltimore, for the Western Shore. These officers, together with the following "Continental agents," were licensed by the governor and council on the dates mentioned, "to purchase in the State, for the army, according to the Act of Assembly for the more effectual preventing forestalling and engrossing, and for the purpose therein mentioned:" August 26, 1779 — Patrick Ewing, assistant commissary of purchases for Cecil County; September 10—Ephraim Blaine, deputy commissary-general of purchases in the army of the United States; Conrad Theodore Wederstrandt, assistant commissary of purchases for Queen Anne's, Talbot, and below; Nathaniel Potter, the same for Caroline; Richard Dallam, the same for Harford; Robert Buchanan, for Baltimore; Thomas Richardson, for Montgomery, Prince George's, Charles and St. Mary's; George Murdock, for Frederick; and Moses Rawlings, for Washington County. On September 13—Charles Beatty, deputy quartermaster-general for Frederick County; September 14—Richard Butler and Nicholas Tice, deputy quartermasters for Frederick; September 17—Henry Wright, Jr., assistant deputy forage-master-general for all the counties of the Eastern Shore except Cecil; John Greer, assistant deputy quartermaster-general for the lower part of Frederick and upper part of Baltimore Counties; Henry Shryock, the same for Washington, and David Poe for Baltimore; October 12—Joseph Ford, assistant commissary of purchases for St. Mary's and Calvert; October 21—Levin Spedden, deputy assistant commissary of purchases, also Nicholas Goldsborough, John Calles Harrison, George Dawson, Robert Walter, and Aquila Brown; October 28—James Martin, William Horsey, and Levin Handy; November 19—William Wright, deputy commissary of purchases for Queen Anne's County; Jacob Giles, assistant commissary of purchases for Harford, and William Lyle for Prince George's; Novem-

To supply the almost naked and famishing soldiers with such articles as they stood most in need of, voluntary associations were established throughout the State. At this period of general distress and suffering, the ladies of Maryland united for the purpose of collecting, by voluntary subscription, additional supplies in money and clothing for the southern army, then at the extreme point of destitution. In Baltimore, and Annapolis, and the counties, districts were apportioned among committees, and the collections amounted to several thousand dollars. Many of the contributions were made in gold, others in produce or clothing, and all ranks of society seem to have given liberally.

The following letter from Washington to Mrs. Mary Lee, the wife of Governor Lee, shows that he appreciated the spirit and exertions of the women of Maryland in this noble work:

"*Head Quarters, 11th October, 1780.*

"Madam—

"I am honored with your letter of the 27th of September, and cannot forbear taking the earliest moment to express the high sense I entertain of the patriotic exertions of the ladies of Maryland in favor of the army. In answer to your inquiry respecting the disposal of the gratuity, I must take the liberty to observe that it appears to me the money which has been or may be collected, cannot be expended in so eligible and beneficial a manner as in the purchase of shirts and black stocks for the use of the troops in the southern army. The polite offer you are pleased to make of your further assistance in the execution of this liberal design, and the generous disposition of the ladies, insure me of its success, and cannot fail to entitle both yourself and them to the warmest gratitude of those who are the objects of it."[1]

ber 30—Benjamin Chalmers, deputy quartermaster-general of forage for Dorchester, Worcester and Somerset Counties, and James Hindman, deputy assistant commissary of purchases for Talbot; James Sullivan, the same for Dorchester, and Walter Hanson for Charles Counties.

[1] Sparks, vii., p. 243.

CHAPTER XXVI.

DISSATISFIED with the management of the southern department under the command of General Gates, congress on the 5th of October, 1780, passed a resolution subjecting its favorite officer to a court of inquiry, and directing the commander-in-chief to appoint his successor. In compliance with this instruction, Washington recommended Major General Nathaniel Greene. Congress on the 30th, by a formal resolve approved of the appointment of General Greene, and invested him with all the powers conferred on Gates, with the additional one of negotiating an exchange of prisoners in his department, but "subject to the control of the commander-in-chief." Congress also assigned to him all the regular troops, raised or to be raised, in Delaware and in the States south of it. Immediately upon receipt of his appointment, General Greene hastened to Philadelphia to inform himself of the condition of his army, and to make provision for supplying its needs. On his arrival he expressed the "earnest wish to have Dr. James McHenry, of Maryland, one of Washington's aides, to accompany him to the south." As Dr. McHenry already held the rank of major on the staff of the commander-in-chief, he could not accept the same position under any other officer, without losing rank. "Nothing but a majority will engage him in this service," writes Greene to the president of congress; and "if the indulgence can be consistently granted, it will lay me under particular obligations." Although this application was endorsed by Washington, it was not acceded to until May, and, in the meanwhile, Major McHenry remained on Washington's staff.

GENERAL GREENE.

Accompanied by Baron Steuben, who had with him Captains Benjamin Walker and Peter S. Duponceau, of his staff, and Colonel Morris and Major Burnet, two of his aides, he commenced his journey south, arriving at Elkton on the 5th of November, and on the 7th, reaching Annapolis, where he intended "to try to put subscriptions on foot" "for the purpose of supplying clothing" to his army. Believing that in all his southern operations he would have to "depend upon the stores coming from the northward." As soon as he arrived at Annapolis he addressed an urgent letter to the Board of War, awakening them to the necessity of prompt action. "General Gist," he writes, "is at this place," and says "it is idle to expect service from the

southern army unless they receive supplies from the northward, to put them in a condition to act, and that it is equally idle to expect anything south of this, especially clothing; nor will there be anything of consequence to be had in this State." Baltimore was in so "defenceless a state" that "a twenty-gun ship might lay the town under contribution." And in this defenceless place the State, as if to invite the enemy, had collected a magazine of shot and shell.[1]

General Greene then waited on Governor Lee, and presented him a letter of introduction from Washington, in which the commander-in-chief warmly eulogised his "abilities, fortitude and integrity," and personally recommended him to Lee "as one whom I rank among the number of my friends."[2] He was cordially received by the governor, who entertained him at his own house. He waited upon the legislature, then in session, and urged the necessity of prompt aid to the southern army before it should be dispersed, and the spirit of the people broken. To Lee he addressed a letter, insisting upon the importance of raising and equipping a regular army, and filling up the regiments to the full standard, to which end he suggests a draft.

In accordance with Greene's views, the legislature, knowing that the Maryland quotas formed the real nucleus, and, indeed, constituted two-thirds of the southern army in the field, passed various Acts to procure recruits and supplies. "They promise me," Greene writes to Washington, "all the assistance in their power; but are candid enough to tell me that I must place but little dependence upon them, as they have neither money nor credit, and from the temper of the people are afraid to push matters to extremity." The "extremity" here alluded to, was, probably, his favorite plan of a draft.

To hasten the reinforcements, and to forward supplies, Greene directed General Gist to take charge of this service in Maryland and Delaware, co-operating with Governor Rodney, of the latter State. Gist was instructed to make all his applications in writing, so "that it may appear hereafter, for our justification, that we left nothing unessayed to promote the public service. Let your applications be as pressing as our necessities are urgent; after which, if the southern States are lost, we shall stand justified. The greatest consequences depend upon your activity and zeal in your service."

Having made all the necessary arrangements in Maryland to supply the necessities of his army, Greene resumed his journey to the scene of action. Passing through Baltimore he secured the services of George Lux to aid him in that town, and travelling by the way of Georgetown, Mount Vernon and Fredericksburg, arrived at Richmond on the 16th of November. Here he found everything in confusion; "the business of government almost at a standstill for want of money and public credit."

After the defeat of General Gates and the advance of Lord Cornwallis into the interior of North Carolina, on the 16th of October, General Leslie sailed from New York with about three thousand troops, with orders to penetrate

[1] Greene's *Life of Greene*, iii., p. 50. [2] Sparks, vii., p. 275.

into Virginia, and await the orders of Lord Cornwallis. Leslie entered the Chesapeake and took possession of Norfolk and Portsmouth; the latter he fortified very strongly, as the basis of his future operations. The sudden appearance of this large force in the Chesapeake created intense excitement both in Virginia and Maryland. In Virginia, the militia had been called out, and such preparations for defense as time and circumstances permitted. The British general "after making every preparation for establishing a permanent post at Portsmouth, by fortifying the place strongly, had suddenly drawn in his advanced parties, evacuated the town, embarked his troops, and fallen down to Hampton Roads," where he still lay when Greene reached Richmond.[1]

He immediately waited upon Governor Jefferson, laid before him the object of his mission, and urged his assistance in keeping the enemy at a distance. There was an abundance of provisions and forage in the State, but as all the continental wagons and teams had been captured in the disaster at Camden, there was no means of transporting it to the army. Governor Jefferson had been endeavoring for more than three weeks to collect a hundred wagons to send supplies to the army, and although with full powers of impressment, he could collect "but fifteen or eighteen."

General Greene, finding that it would be impossible without transportation, to effect anything in his department, and that he must rely upon the States north of Virginia, addressed letters to Generals Washington and Gist, and Colonels Pickering and Matlock, upon the subject. In his letter to General Gist he writes: "I must beg the State of Maryland will speedily comply with my requisition, particularly as to the wagons and the horses for Lee's legion. As soon as you get wagons, forward all the stores from Baltimore. The horse furniture is exceedingly wanted, as cavalry must be our greatest security till we can form a more respectable body of infantry." To Colonel Timothy Matlock, the chairman of the committee appointed by congress to procure clothing for the southern army, he writes:

"I am now fully convinced that the southern army will be entirely without clothing unless you draw bills upon France and provide for us in the way I proposed. . . . It may be disagreeable to draw on France, but it is better to do this than to let the army go to ruin. The distress and suffering of the southern army on account of provision is sufficient to render the service so disagreeable as to make it impossible to keep men in the field; but when they are starved with cold as well as hunger, the whole army must become deserters or patients in the hospitals; both policy and humanity call loudly for supplies of clothing. The people of this State and Maryland say they are willing to do all in their power to provide clothing, be the consequences what they may, and I wish that their abilities to supply the army may not be overrated."

A few weeks later, summing up his observations in a letter to his friend, President Joseph Reed, of Pennsylvania, he says:

[1] Greene's *Life of Greene*, iii., p. 54.

"On my journey I visited the Maryland and Virginia Assemblies, and laid before them the state of this army, and urged the necessity of an immediate support. They both promised to do everything in their power; but such was their poverty, even in their capitals, that they could not furnish forage for my horses."[1]

Leaving Baron Steuben at Petersburg in command of the army in Virginia, on the 22d of November he resumed his journey, and, as we have stated, arrived at Charlotte, North Carolina, on the afternoon of the 2d of December, and on the following morning assumed command of the army, by affirming and approving Gates' standing orders.

While Greene was travelling to the southward, the enemy, who occupied Norfolk and Portsmouth, were engaged in their usual occupation of plundering and devastating the property of the inhabitants of Maryland along the shores of the Chesapeake. These depredations were so extensive and in such force, that the merchants of Baltimore, who had done so much to suppress the outrages, were compelled in July to petition the governor and council for assistance. Governor Lee, on the 28th of July, 1780, in the following letter to the Maryland delegates in Congress, presents the serious grievances under which the people of Baltimore were at this time laboring:

"The general assembly on the 12th June last, took into consideration the trade of this State, and entered into the following resolution: '*Resolved*, that congress be informed that the trade of this State and Virginia, through the Capes of Chesapeake Bay, is very considerable, and that this State and the United States are greatly interested in its preservation, and that this State has always contributed to the expenses of the continental navy, but the state or its trade has never received any benefit or advantage from the marine of the United States, and therefore that congress be earnestly requested to direct one of the continental frigates to be so stationed as to protect the trade from this State and Virginia, and further to order (when the service of the United States will permit), that one of the frigates convoy the fleets from this bay,'—which was transmitted to congress, and by them referred to the board of admiralty, the result of whose deliberations thereon has not yet been communicated to us; nor do we know that the requisition of the assembly will be complied with. Our coast has lately been much infested with the privateers and cruisers of the enemy; our trade and navigation obstructed, and many of our vessels captured, to the great detriment of the public, and ruin of some and distress of many of our merchants: and we can assure you, unless two, or one at least of the continental frigates are so stationed as to afford protection to the trade of Virginia and this State, that there is little or no probability of our providing clothing and other necessaries for our quota of the army. As this State have on every occasion exerted themselves in an extraordinary degree in support of the common cause, and have and do contribute their proportion of the expense of the continental navy, and have not hitherto received any advantage from it; we can but think it reasonable that our request should be gratified. We have just received a letter from the commercial gentlemen of the town of Baltimore, representing that the successes of small armed vessels and boats have invited a very formidable enemy into our bay, and that not less than twenty of their most valuable vessels outward bound, are now blocked up in Patuxent River, and have been for some time past, and that every day they receive accounts of their vessels being taken or destroyed. This representation of the distresses and embarrassments of the trade and navigation of the States of Virginia and Maryland not only merit the immediate notice of congress, but we think

[1] Greene's *Life of Greene*, iii., p. 62.

cannot fail to induce them to order such a number of frigates to be stationed at the Capes of the Chesapeake as will afford ample protection to the commerce thereof. We entreat you in the most earnest manner to lay this important subject before congress, and to use your utmost efforts and the weight and influence of this State to obtain the protection desired."[1]

The straitened condition of affairs placed it out of the power of congress to comply with the governor's request, and the State was therefore thrown upon its own resources, the enemy in the meanwhile continuing their depredations. A resident on the Eastern Shore in a letter to a friend in Philadelphia, dated September 30th, 1780, writes:

"Since writing the enclosed letter, we have certain advices by Mr. Goldsborough, that the enemy have plundered the town of Vienna, and burnt a new brig; and on their way down called at Colonel John Henry's [a member of congress] and destroyed his house and furniture. All the Colonel's family was servants, except himself, who, on the approach of the enemy, had retired to a house in the neighborhood, where he had removed his plate and valuable papers. This was a very fortunate circumstance for him, as they intended to take his life, had they found him at home. They took away one negro man from Mr. Henry, and another from Mr. Steele, a near neighbor."[2]

In November, a number of the enemy's small armed vessels went on a marauding expedition along the shores of the Cheapeake and in the Patuxent, and committed many outrages. Not content with plundering the inhabitants of their negroes, cattle and other property, they wantonly burned many of the habitations. "Rousby Hall," the elegant residence of Colonel William Fitzhugh, and the handsome mansion of John Parran, both situated near the mouth of the Patuxent, were thus destroyed. To suppress these outrages, the legislature, at its October session, passed "an Act for the defence of the bay." By this Act four large barges, fitted with sails and oars, armed with swivels, and carrying each at least twenty-five men; one galley, armed with two eighteen and two nine-pounders, and swivels, and one sloop or schooner capable of carrying ten four-pounders, were fitted out and placed under competent naval officers, to clear the bay. And to protect the counties of Somerset and Worcester, a troop of horse was organized consisting of a captain, lieutenant and cornet, and twenty-four dragoons, and a company of infantry consisting of captain, lieutenant, ensign and thirty non-commissioned officers and privates who were to serve within the State for one year. And to cut off the resources of the piratical enemy, the governor was authorized before the 1st of May, 1781, to have all the inhabitants of the islands below Hooper's Straits, and between the sound and the bay, with their property removed to the main land; to seize and sell all the vessels, boats and canoes belonging to them, and to seize all vessels passing those points without the proper license. All persons were prohibited from living in this infested district during the war, under the penalty of forfeiting all their property, and if between the age of sixteen and fifty, they were to be deemed enlisted soldiers for the war. As an indemnification, the inhabitants of these islands were to pay no assessment,

[1] Purviance, p. 224.

[2] Maryland *Gazette*, October 20.

and those who removed, if they at any time needed assistance, were to be supported at the expense of Somerset and Worcester Counties which was to be refunded by the State. These precautions were deemed necessary in consequence of a threatened insurrection, which for a time excited much alarm. The prompt punishment of the conspirators, however, restored quiet, and prevented a repetition of the attempt. The plot was discovered by the interception of the following letter to General Leslie:

"To His Excellency, General Leslie, commander-in-chief of His Britannick Majesty's forces at Portsmouth.

"*The Humble petition of the Loyalists in Somerset and Worcester Counties, on the Eastern Shore of Maryland,*

"Humbly sheweth that your petitioners having from the commencement of this rebellion been well attached to his Majesty, and have suffered in person and property, so as to have all taken from them and dragged about from jail to jail, though at last set at liberty, and now are willing to supply his majesty's troops and navy with provisions and forage, but cannot by means of those now in rebellion that make a scoff at his Majesty's most gracious offers, and stop numbers of boats now loaded to come down, by keeping a fort and guard at Harryenniss on Pocomoke and Snow Hill, and are now destroying the property of those that have been; and have formed a law under their rebellious assembly to take the lives of those of his majesty's subjects as offer to trade, by that ignominious death of a halter; we therefore pray and earnestly request that your Excellency will pay regard to our petition, by immediately sending us some land forces to our assistance or we and our families are utterly ruined, as the bearer hereof will further acquaint your Excellency with the force, place and situation, and your petitioners as in duty bound shall ever pray."

The expedition of General Leslie to the Chesapeake was part of a design to invade the western frontier and to release the large number of British prisoners who were confined at this time in Winchester, Strasburg, Leesburg, Sharpsburg, Fort Frederick and Frederick. General Johnston, with a large force of the enemy was to operate in the neighborhood of Pittsburg, while Colonel Connolly, already baffled in his evil designs in Maryland, who had been exchanged for Lieutenant Colonel Nathaniel Ramsey, with the aid of General Leslie and the tories and refugees on the frontiers and the Eastern Shore, was to co-operate with him. And to procure the aid and assistance of the loyalists in the campaign of 1781, in pursuance of instructions from the king, Sir Henry Clinton, in February, issued under his hand and seal a commission to William Franklin, Governor of New Jersey, Josiah Martin, Governor of North Carolina, Timothy Ruggles, Daniel Coxe, George Duncan Ludlow, Edward Lutwyche, George Romer, George Leonard, Anthony Stewart and Robert Alexander constituting them a board of directors for the control and management of the "Associated Loyalists of America." The board of directors of this association were authorized to employ "such of his majesty's faithful subjects in North America as may be willing to associate under their direction, for the purpose of annoying the sea coasts of the revolted provinces, and distressing their trade, either in co-operation with his majesty's land and sea forces, or by making diversions in their favor, when they are carrying on operations in other parts."

Large numbers of the tories were enrolled on the frontier, on the Eastern Shore and in the neighboring States to execute the royal commission of robbing and murdering the inhabitants, when the conspiracy we have alluded to was providentially discovered at Frederick. It is stated that a disguised British officer was to meet a messenger of the enemy at a designated place, to put him in possession of all the plans relating to the conspiracy. The watchfulness of the Americans deterred the officer from fulfilling his appointment, and the papers fell into the hands of a patriotic officer, "who, by a singular coincidence, was at that moment standing where the tory messenger expected his correspondent." The plot and the names of the prominent conspirators were at once disclosed, secret and efficient measures were instantly taken to put them under arrest. On the 25th of July, Peter Sueman, Nicholas Andrews, John George Graves, Yost Plecker, Adam Graves, Henry Shell and Casper Fritchie, were brought to trial before a special court, presided over by Judge Hanson, found guilty of high treason in "enlisting men for the service of the King of Great Britain, and administering an oath to them, to bear true allegiance to the said king, and to obey his officers when called on." Judge Hanson, in delivering his sentence, said:

"You shall be carried to the jail of Frederick County, and thence be drawn to the gallows of Frederick Town, and be hanged thereon; you shall be cut down to the earth alive, and your entrails shall be taken out and burnt while you are yet alive; your heads shall be cut off; your bodies shall be divided into four parts, and your heads and quarters shall be placed where his Excellency the Governor shall appoint. So Lord have mercy upon your poor souls."

Three of the number were executed in the court-house yard at Frederick, notwithstanding they "considered the proceedings against them solemn mockery, and adopted the vain idea propagated by the enemies of their country, that the State dare not punish her unnatural subjects for engaging in the service of Great Britain."[1]

At various times judgment of outlawry for treason was rendered in the general court at Annapolis, against about a hundred leading tories, among whom we notice Robert Alexander, Patrick Kennedy, William Smith, Edward Carnes, Richard W. Parkin, John Lynch, Henry Stevenson, John Christie and James Hall, of Baltimore County. And at subsequent periods against Daniel Dulany of Daniel, Daniel Dulany of Walter, Lloyd Dulany, Jonathan Boucher, Henry Addison, William Edmiston, John Montgomery, Bennett Allen, Anthony Stewart, Walter Dulany, Philip Key, of Frederick County; Daniel Addison, Henry Riddle, of Charles County; Thomas French, George Chalmers, Charles Gordon, of Kent County; Leigh Master, Nathaniel Richardson, David Carcand, Daniel Stevenson, George Howard, of St. Mary's County; William Dickson, Montgomery County; James Otley, B. Smith, John A. Thomas, of St. Mary's; Samuel Miles, of Princess Ann; Daniel Jones, Levin Tall, John Lloyd, Thomas English, Aaron Stirling, Caleb Jones, James

[1] Maryland *Gazette.*

Lowe, Isaac Coslin, John Stirling, of Annapolis; Wm. Atkinson, Isaac Atkinson, of Somerset County; John White, Cannon Riggin and Wm. Townsend, of Worcester County; James Harris, John Malone, Wm. Kennedy, Mrs. Caldwell, Obadiah Reed, Hugh Dean, Spiers, French & Co., Jno. Henry Carey, John Bartlett, Charles Hall, John Harris, John Jackson, Purnell Johnson, Joshua Dickinson, Wm. Smith, Solomon Dorman, Nathaniel Smullin, James Russell, Wm. Russell, Richard Button, James Christie, Jr., James Christie, Robert Christie, John Glassford & Co., Gale, Fearon & Co., Nottingham Company, Jas. Russell, Principio Company, Henry Harford, John Buchanan, Colin, Dunlop & Co., Daniel Stevenson, Cunningham, Finley & Co., Alexander Lawson & Co., James Chalmers and Samuel Hyde.

The outrages committed by the tories, the deranged condition of the currency, and the overwhelming debt which had been incurred in the prosecution of the war, caused the more ardent patriots to discuss the propriety of confiscating the property of those who had adhered to the royal cause, or deserted that of their country. Many men of wealth and influence had abandoned the State in its hour of peril, and were giving aid or comfort to the enemy; and it was deemed just and proper to seize their estates as spoils of war. A bill for that purpose was accordingly framed and passed by the House of Delegates at the November session of 1779, and sent to the Senate. The latter body, doubting the justice and expediency of the matter, refused to concur in the passage of the bill, and returned it to the Senate with a message explaining their reasons for rejecting it. An effort was made to get the Senate to recede from their action, which they refused to do, whereupon the House of Delegates, on the 3d of December,

"*Resolved*, That it is the opinion of this House, that the honorable Senate, by rejecting the bill for seizing and confiscating British property, hath prevented this House from complying with the requisition of congress, and raising money to enable that body to support the credit of our currency, and to defray the current expenses of the war; and, therefore, that any consequences which may arise therefrom to the public, are properly and justly to be imputed to those members of the Senate who gave their negative to the bill.

"*Resolved*, That the voters of the State be earnestly requested to express their sentiments on the present difference between the two branches of the legislature, respecting the seizing and confiscating British property within the State."[1]

A warm controversy ensued, but the Senate would not recede, and suggested, as a more appropriate source of revenue, that congress should make foreign loans, and pledge for their payment the western lands, which were unjustly claimed by certain large States. Unable to reconcile their differences, both houses adjourned over to the 28th of March, 1780. In the meanwhile, the people and the Maryland *Gazette*, of Annapolis, and the Maryland *Journal*, of Baltimore, the only newspapers in the State, took

[1] Among those who strongly opposed the bill in the senate were Daniel of St. Thomas Jenifer, Charles Carroll, of Carrollton, Matthew Tilghman, William Hindman, and Joseph Sim. The warmest advocates were Brice T. B. Worthington, Richard Barnes, and Upton Sheredine.

up the subject, with much warmth and ill-temper. Week after week the columns of these two journals teemed with the dissertations of numerous correspondents, upon this all-absorbing question. A correspondent, in the *Gazette*, over the signature of "A Sentry," gives a fair idea of the prevailing spirit.

"It is justly alarming," he writes, "to see principles like the Senator's spread in a free country, when, two years ago, if any man had talked in that manner, he would as soon have dared to put himself in the fire or be tarred and feathered, especially a member of our assembly. Good God! what is this State come to, to be the subjects of Great Britain? And we cannot take the property of our enemies to pay our taxes, when, if it was in their power they would take our lives. It is time for men to trim, and make fair weather on both sides; but I can say this, though I cannot write, I can think, and I have borne a firelock; and I can say it is d——d toryism."

Upon the reassembling of the legislature, petitions poured into both branches from all parts of the State, urging the adoption of the measure. The public debt had now increased from $14,220,000 to $23,700,000, rendering it more difficult to raise it by taxation. To meet their quota, the tax-payers of the State would have been obliged to pay a tax of £100, in paper currency, for every hundred pounds worth of property. The House of Delegates immediately passed another bill, which the Senate, after a renewed discussion, again rejected. The question then lay dormant until the October session of 1780, when another bill for the confiscation of British property was introduced and passed both Houses.

In the preamble to this "Act to seize, confiscate and appropriate all British property within the State," the legislature took occasion to record the following indictment against the British government for the manner in which they prosecuted the war:

"Whereas Great Britain commenced an unjust war against the United States, and because of their defending themselves against her unprovoked and unjustifiable violence, declared the people of these States rebels, and out of the protection of her government, and now prosecutes the war against them on pretence of their being revolted colonies and in rebellion, and hath confiscated the property of some of the citizens of these States; the British army and navy, and other armed vessels acting under the authority of the British king, have seized in this and other of the United States the negroes and other property of the citizens of these States, and the property so seized have carried off and disposed of at their will and pleasure; the said army and navy, and other armed vessels, have committed various outrages on the persons and devastations on the property of the people of these United States, contrary to the practice of civilized nations and the present usage of war, in burning houses and towns without any necessity, out of mere wantonness and cruelty; unfortunate American prisoners, by cruel usage and threats, have been compelled to enlist in the army of their enemies and fight against their country; and many of the citizens of these States taken captive have been forced on board ships of war, and compelled, under an act of the Parliament of Great Britain, and the cruel execution of it by the officers of the King of Great Britain, to fight against their country, their friends and relations.

"And, whereas, The subjects of Great Britain possess considerable landed and other property in this State, which the legislature, from a disinclination to distress individuals,

hath suffered to remain in the hands and management of their agents, hoping that a conduct so moderate would induce the enemy to respect the rights of humanity, emulate their example, and alleviate the calamities of war; but such lenity and forbearance, instead of meeting with a proper return, have been falsely imputed to pusillanimity and a dread of retaliation, and seem rather to have encouraged the enemy to acts of violence and cruelty.

"And, whereas, The trustees of this State have lately, on the advice of the officers of the crown of Great Britain, refused to pay the money belonging to this State in the Bank of England: And, whereas, in defiance of public faith, and in breach of the capitulation of Charleston, the British officer commanding in that department, under frivolous pretences, has imprisoned the persons of several respectable citizens of that State, and confiscated their property; and from the general conduct of the enemy, it may justly be inferred, that their hatred and cruelty is not to be softened or restrained by any respect to the usages of war, the obligations of compacts, or the rights of humanity: And, whereas, by the Declaration of Independence, all political connection between Great Britain and these States was dissolved, and the subjects of Great Britain declared enemies in War, and in Peace, friends; and by the law of nations the subjects of Great Britain, in separate and collective capacity, are answerable, not only for all expenses incurred by this State in consequence of the war, but for any injury or damage sustained by any of the subjects of this State since the commencement thereof, and their property, wherever found, is subject to seizure and confiscation. Wherefore," &c.

By this Act all property within the State, with the exception of debts belonging to British subjects, was to be seized and confiscated. All those persons who had abandoned the State to avoid service, or upon private business, were also to be deemed British subjects, unless they returned to the State before the 1st of March, 1782, and within one month thereafter take and subscribe the oath or affirmation of fidelity and support to the State as prescribed by the Act to prevent the growth of toryism. This provision was also extended, in a particular manner, to ex-Governor Horatio Sharpe, as an evidence of the respect and esteem borne toward him while Proprietary Governor of Maryland.

Another Act was passed appointing William Paca, Uriah Forrest and Clement Hollyday "commissioners to preserve confiscated British property," and all property belonging to persons outlawed for treason. Various other Acts were passed for the sale of confiscated British property, and one to continue the treble tax on non-jurors or those who refused to "take the oath or affirmation required by the Act for the better security of the government."

The persons who thus suffered for their fidelity to the cause of Great Britain, naturally conceived that they had some claim on that country for redress, nor was their claim disallowed. At the beginning of the war allowances were granted from time to time by the British Board of Treasury for the temporary support of the American loyalists; until the issue of the war should be ascertained or some other mode of providing for them should be adopted. The sums issued in this way increased every year until the autumn of 1782, when it amounted to an annual sum of £40,280, which was apportioned among three hundred and fifteen persons. As it was always expected that the war would soon terminate, and that the greater part if not all the

loyalists would return to their homes, sums were at first issued to them for three months, which, being often repeated, were at last converted from quarterly into annual allowances, proportioned according to the relative situation and circumstances of the applicant.

While America was opposing the Stamp Act, both Houses of Parliament declared, "That such persons who had manifested a desire to comply with or to assist in carrying into execution any acts of the legislature relating to the Colonies in North America, ought to have *full and ample compensation* for any *injury or damage* sustained on that account." And that such persons were entitled to, and should assuredly have, the protection of the House of Commons. Again, in 1775, when the war of the revolution commenced, the king of Great Britain desiring the aid of his subjects to suppress the rebellion, issued his proclamation calling for their assistance, and "that none might neglect or violate their duty through ignorance thereof," he further declared, "That all his faithful subjects were bound by *law* to be aiding and assisting in suppressing the rebellion; and that there could be no doubt of the protection which the *law* would afford to their loyalty and zeal."

The American loyalists claimed that in obedience to this call of the two Houses of Parliament and their sovereign, they alone stepped forward from the great body of the king's subjects in America; that in consequence of their loyalty they were deprived of their fortunes, and were therefore entitled to adequate compensation. And, moreover, as their estates and fortunes, which the British government was bound to regain and restore to them, had been ceded to the United States as the purchase and price of peace, they had a higher claim to just compensation.

As the war progressed, the number of loyalists greatly increased, and their applications to the British government for relief and support, were urgent as well as numerous. To prevent imposition on the treasury of Great Britain, it became necessary that an investigation should be made into the claims of the applicants. Soon after the death of the Marquis of Rockingham, in July, 1782, and the appointment of the Earl of Shelburne (afterwards created Marquis of Lansdowne) to succeed him, Lord Shelburne nominated, and the Board of Treasury appointed, John Wilmot and D. P. Coke, both members of parliament, "to enquire into the cases of all the American sufferers, both of those who already derive assistance from the public, and those who were claiming it; and to report their opinion thereon to their lordships."

They immediately proceeded in the prosecution of their business, in October, and noted the cases and circumstances of each applicant; examined such certificates and papers as each had to produce, and required the attendance of such persons as might be able to confirm or explain the merits, the losses, and other particulars of each case. They reported their proceedings from time to time to the Board of Treasury, but made a final report and detailed statement of their proceedings in January, 1783, which was confirmed. The principle on which the commissioners proceeded, as explained at large in their report,

was, "That these annual allowances were not intended as compensation for their losses, but as temporary provisions for their support till the close of the war, and until a more solemn investigation could take place; that they ought, however, to bear some relative proportion to the losses, services, and former situations of the parties."

Before the negotiations for peace began, the House of Commons, in an address to the king, on the 27th of February, 1783, declared "that this House should consider as enemies to his majesty and their country, all those who should advise, or by any other means attempt the further prosecution of offensive war, for the purpose of reducing the colonies to obedience by force." This expression of opinion forced the government of Great Britain to make peace upon very disadvantageous terms. During the negotiation of this important business, at Paris, the British agents took the utmost possible pains to procure more liberal terms for the loyalists. These claims were urged with such persistency that at one time the negotiations were on the point of breaking off. The fourth, fifth and sixth Articles of the Treaty, were, however, with great difficulty almost extorted from the American commissioners. An English writer who has seen the correspondence between the British government and their commissioners in Paris, asserts, with confidence, "that the court of Versailles, absolutely refused to come to any treaty or decision at all till the American commissioners were completely satisfied, and that if more favorable terms for the loyalists had been insisted on, all negotiation must have ceased entirely, and the war have been continued under circumstances of great disadvantage to Great Britain."[1]

Consistently with the professions of the British government at the close of the war, a bill was brought in the House of Commons and passed (23 George

[1] By Article IV. of the treaty, it was agreed that either side should meet with "no lawful impediment to the recovery of the full value, in sterling money, of all *bona fide* debts heretofore contracted." Article V.: "Congress shall earnestly recommend it to the legislatures of the respective States, to provide for the restitution of all estates, rights and properties which have been confiscated, belonging to *real* British subjects; and also of the estates, rights and properties of those persons resident in districts in possession of his Majesty's arms, and who have not borne arms against the United States; and that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months unmolested in their endeavors to obtain the restitution of such of their estates, rights and properties as may have been confiscated; and that congress shall also earnestly recommend to the several States a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with the spirit of conciliation, which, on the return of the blessings of peace, should universally prevail; and that the congress shall also earnestly recommend to the several States that the estates, rights and properties of such last mentioned persons shall be restored to them, they refunding to any persons, who may be now in possession, the *bona fide* price (where any has been given), which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation. And it is agreed, that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights." Article VI.: "That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for, or by reason of, the part which he or they may have taken in the present war; and that no person shall, on that account, suffer any future loss or damage, either in his person, liberty or property; and that those who may be in confinement on such charges at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued."—John Eardley-Wilmot.

III, chap 80,) "appointing commissioners to enquire into the losses and services of all such persons who have suffered in their rights, properties and professions, during the late unhappy dissensions in America, in consequence of their loyalty to his majesty and attachment to the British government." The commissioners named were John Wilmot, Daniel Parker Coke, Colonel Robert Kingston, Colonel Thomas Dundas and John Marsh. They were empowered and required to examine all persons whom they should think fit on oath, to send for books, papers and records, and report their proceedings to the lords commissioners of his majesty's treasury. The Act was to continue in force for two years, but the time for receiving claims was limited to the 25th of March, 1784. They entered upon their duties early in September by advertising claimants to file their claims, and by sending agents to the United States to investigate each particular claim. The number of claims presented within the time limited was 2,063 for property, real and personal, to the amount of £7,046,278, and for debts to the amount of £2,354,135. Owing to the large number of applications of persons who flocked over to Great Britain from the United States in 1783 and 1784, especially after the evacuation of Charleston and New York, the commissioners made slow progress in the examination and liquidation of the claims. The commissioners made their first report on the 12th of August, 1784, and on the 23d of December following, they presented their second. The Act of 1783 being about to expire, and the work remaining unfinished, the Act was renewed in July, 1785, with some amendments. Mr. Coke having resigned, Jeremy Pemberton and Robert Mackenzie were appointed commissioners. The new Act was continued in force for one year, and the time for receiving claims was extended under certain conditions to the 1st of May, 1786. This Act was again continued in 1786 and 1787, with little or no variation, but not without frequent applications to the minister, and petitions to his majesty and to parliament from the agents of the American loyalists. The commissioners proceeded with their investigation in 1786 and 1787, both in Great Britain, Nova Scotia and America; and having made several intermediate reports, they presented the eleventh report of their proceedings in April, 1788. In the meanwhile, various motions and debates took place in the House of Commons on these subjects, particularly on that of final compensation; but this did not formally take place till 1788. On the 6th of June, of that year, Mr. Pitt opened the discussion in an eloquent speech, by proposing a plan in the British House of Commons, for the final adjustment and compensation of their losses. Mr. Pitt in this speech laid down the principle that however strong the claims of the American loyalists might be on the generosity of the British nation, the compensation intended could not be considered as matter of right and strict justice; in the mode, therefore, he had pursued, he marked the principle in the various quotas of compensation he should propose to be made to the various classes of the American loyalists. He divided them into the following classes:

1st.	Loyalists who had rendered service to Great Britain	204
2d.	Loyalists who had borne arms in the service of Great Britain	481
3d.	Zealous and uniform loyalists	626
4th.	British subjects resident in Great Britain	20
5th.	Those who took the oath of allegiance to the Americans, but afterwards joined the British	27
6th.	Deserters from the American army who joined the British	23
7th.	Losers under the Prohibitory Act	3
8th.	Loyal British Proprietors	2
9th.	Subjects or settled inhabitants of the United States	25
10th.	Claims disallowed and withdrawn	313
11th.	Loyal British subjects who were to have relief by the treaty, but failed in procuring it	4

He proposed to pay the classes 1, 2, 3, 5, 6, 7, whose liquidated losses did not amount to more than £10,000 each, the full amount of their losses: and if they should exceed the sum of £10,000, up to £35,000, then to deduct ten per cent.; and if over £35,000 to £50,000, fifteen per cent.; and if over £50,000, twenty per cent. from the excess of £10,000; which principle he stated he would adopt in every other class. With regard to the 4th and 8th classes he did not propose any deduction from their losses under £10,000; but from this amount to £50,000, he proposed a deduction of twenty per cent., and if over £50,000 and above £200,000, seventy per cent., and so on in proportion.

Mr. Henry Harford, the last Proprietary of Maryland, having filed his claim for losses sustained in being deprived of his lands and revenues in Maryland, and having remained loyal to Great Britain, came under the 8th class. He estimated his loss at £447,000, which the commissioners liquidated at £210,000. This claim, by applying the above mentioned principle of settlement would amount to £50,000, which Mr. Pitt "thought was a very handsome compensation from the public, especially as there were two demands on Mr. Harford's estate of £10,000 each, which would also be paid in full, and Mr. Harford would be thus exonerated from those debts." He next proposed to pay those who had lost their incomes from office or profession. Those whose incomes did not exceed £400 per annum, should receive pensions after the rate of £50 per cent. of such income, and £40 per cent. for every £100 above £400 where the same did not exceed £1,500 per annum, and where the value exceeded £1,500, 30 per cent. per every £100 exceeding £400. Having discussed this subject thoroughly, he proposed the amount of the various sums should be issued in "Debentures," bearing an interest of 3½ per cent., which would be nearly equal to a money payment; and that the whole should be paid off by instalments, by means of a lottery.

This plan of Mr. Pitt's met with general approval from all quarters, excepting the ratio of compensation to be applied to the loss of Henry Harford. After a long and tedious debate, however, this claim was satisfactorily settled—Mr. Harford receiving £90,000 in all—£70,000 for himself, and £10,000 each to his two sisters.

The plan of Mr. Pitt was carried into effect by the following address to the king, June 9th, 1785:

"*Resolved*, That an humble address be presented to his Majesty, that he will be graciously pleased to give directions that Pensions be allowed to such persons as have suffered during the late unhappy dissentions in America in consequence of their Loyalty to his Majesty and attachment to the British Government, whose losses of income arising from professions or offices, have been proved to the satisfaction of the Commissioners appointed by several acts made in the 23d, 25th, 26th and 27th years of his present Majesty's, reign, and who are not already adequately provided for in the proportion of £50 per cent., for every £100 of such annual income not exceeding £400, and of £40 per cent. for every £100 of such income above £400, where the value does not exceed £1,500 per annum in the whole; and where the value does exceed £1,500 per annum in the whole, then in the proportion of £30 per cent. for every £100, exceeding £400 per annum; and to assure his Majesty that this House will make good such expenses as shall be incurred on this account."

The king approved of the measure, and the Act of Parliament (28th George III, chap. 40) was passed, in which the commissioners were directed to transmit lists and grant certificates for the sums to which the parties were respectfully entitled. The plan, on the whole, gave general satisfaction to the British government and to the American loyalists, as appeared by the following address of the agents to the king, presented at his reception:

"*St. James', July 4d, 1788.*

"The following address of the Agents for the American Loyalists has been presented to the King by Sir William Pepperell, Bart., and the other Agents, being introduced by the Lord of his Majesty's Bed-chamber in Waiting; which Address his Majesty was pleased to receive very graciously, and they all had the honor to kiss his Majesty's hand.

"To the King's Most Excellent Majesty. The Humble Address of the Agents for the American Loyalists.

"Most Gracious Sovereign,

"Your Majesty's ever dutiful and loyal Subjects, the Agents for the American Loyalists, who have heretofore been the Suppliants of your Majesty on behalf of their distressed Constituents, now humbly beg leave to approach your Throne, to pour forth the ardent effusions of their grateful hearts, for your most gracious and effectual recommendation of their claims to the just and generous consideration of Parliament.

"To have devoted their fortunes and hazarded their lives in defence of the just rights of the Crown, and the fundamental principles of the British Constitution, were no more than their duty demanded of them, in common with your Majesty's other subjects. But it was their peculiar fortune to be called to the trial, and it is their boast and their glory to have been found equal to the task. They have now the distinguished happiness of seeing their fidelity approved by their Sovereign and recompensed by Parliament; their fellow subjects cheerfully contributing to compensate them for the forfeitures of their attachment to Great Britain incited them to incur; thereby adding dignity to their own exalted character among the nations of the world, and holding out to mankind the glorious principles of justice, equity and benevolence, as the firmest basis of Empire.

"We should be wanting in justice and gratitude, if we did not, upon this occasion, acknowledge the wisdom and liberality of the provisions proposed by your majesty's servants, conformable to your majesty's gracious intentions, for the relief and accommoda-

tion of the several classes of sufferers to whose cases they apply; and we are convinced it will give comfort to your royal breast, to be assured they have received with the most general satisfaction.

"Professions of the unalterable attachment of the loyalists to your majesty's person and government, we conceive to be unnecessary; they have preserved it under persecution, and gratitude cannot render it less permanent. They do not presume to arrogate to themselves a more fervent loyalty than their fellow-subjects possess; but distinguished as they have been in their sufferings, they deem themselves entitled to the foremost rank among the most zealous supporters of the Constitution. And while they cease not to offer up their most earnest prayers to the Divine Being to preserve your Majesty, and your illustrious family, in the peaceful enjoyment of your just rights, and in the exercise of your royal virtues in promoting the happiness of your people, they humbly beseech your majesty to continue to believe them, and upon all occasions, equally ready, as they have been, to devote their lives and properties to your Majesty's service, and the preservation of the British Constitution.

"W. Pepperell, for the Massachusetts Loyalists; J. Wentworth, Jr., for the New Hampshire Loyalists; George Rome, for the Rhode Island Loyalists; Ja. Delancy, for the New York Loyalists; David Ogden, for the New Jersey Loyalists; Joseph Galloway, for the Pennsylvania and Delaware Loyalists; Robert Alexander, for the Maryland Loyalists; John R. Grymes, for the Virginia Loyalists; Henry Eustace McCulloh, for the North Carolina Loyalists; James Simpson, for the South Carolina Loyalists; William Knox, for the Georgia Loyalists; John Graham, late lieutenant-governor of Georgia, and joint agent for the Georgia Loyalists."

In August following the presentation of this address, a motion was made in the House of Commons, to continue the commission another year for the purpose principally of enabling the commissioners to enquire into the proprietary claims of Lord Fairfax, of Lady Juliana, and of the Messrs. Penn, for their losses in Virginia and Pennsylvania, and certain other persons therein specified, who it was stated, appeared to "have been prevented by particular circumstances from preferring their claims before. Provided the commissioners were satisfied, by proof made on oath, with the reasons assigned by those persons for not having before prepared their respective claims." The Act of 28th, George III., Chapter XLIV, was passed. It likewise directed three of the commissioners to enquire into the losses sustained by various persons, either by furnishing provisions or other necessary articles for the service of the British army or navy in America during the war; or by having their property used or destroyed, for the public service, for which they had hitherto received no compensation. Another clause authorized them to enquire into the losses of all persons who were injured in their rights and properties by the cession of Georgia to the United States, or by the treaty of peace, concluded at Paris, on the 3d of September, 1783. The commissioners proceeded with the matters referred to them, and completed their labors on the 15th of May, 1789, when they presented their twelfth and last report. But as the enquiry into various claims was not completed, and as various persons were still prevented from presenting their claims, the commission was renewed once more by the Act of 29, George III., Chapter LXII, and it was not till the spring of 1790, that the business

was finally settled and adjusted by parliament. As a result of the various commissions from 1783 to 1790, it appears that the losses and claims of the American loyalists, with the compensation granted by the Parliament of Great Britain, was as follows: Number of claims filed, including those in Nova Scotia and Canada, 5,072; claims withdrawn, 959; amount of claims examined, £8,026,045; amount paid in liquidation, £3,292,455. Number of claims for loss of profession and office, 204; amount of income claimed per annum, £80,000. Pensions granted by the king in liquidation, £25,785. Deductions from all the amounts by Act of Parliament, £180,000.[1]

Thus the British nation extended an inquiry for seven successive years, into the losses of those who, from motives of loyalty to their sovereign and attachment to the British government, had risked their lives and sacrificed their fortunes in support of what they deemed was just and right.

Whatever may be said of this war, either to account for or to justify, or to apologize for the conduct of either country; all the world has been unanimous in applauding the justice and the humanity of Great Britain in rewarding the services, and in compensating, with a liberal hand, the losses of those who suffered so much for their firm and faithful adherence to the British government.[2]

As soon as General Greene assumed command of the southern army in the winter of 1880, he entered practically upon the duties of his position. Everything received his attention, and vigorous efforts were made to increase the means of resistance. The situation of affairs in the South at this time was very discouraging, and a mind less determined would have shrunk from the task he assumed. The States of South Carolina and Georgia were in the possession of the enemy; Virginia and North Carolina invaded and threatened with a similar fate. The governments of Georgia and North Carolina existed but in name, and the militia of North Carolina that had been kept in the field served only to impoverish the country without yielding any benefit in return. Virginia was invaded by General Leslie, and her militia, unprepared to resist the danger which stood on her threshold, could add but little to the strength of the southern army. Maryland being second to none in her zeal for independence, and in the amount of sacrifice she had made for its maintenance, was straining every nerve to carry on the war, and strengthening her

[1] These amounts include the claims and deduction for the claimants of the provinces of Maryland, Pennsylvania, North Carolina and Virginia. The losses, liquidations and deductions for these were: Loss of Pennsylvania, £944,000; liquidation, £500,000; deductions, £400,000—leaving for the Penns, etc., exclusive of the £130,000 paid by the State of Pennsylvania to Thomas Penn, Richard Penn, and the widow of Thomas Penn, the sum of £100,000, which was granted to them in the shape of an annuity of £4,000 per annum. Loss of Virginia, £98 000; liquidation, £60,000; deductions, £47,000. Loss of North Carolina, £365,000; liquidation, £60,000; deductions, £20,000. Loss of Maryland, £447,000; liquidation, £210,000; deductions, £110,000. Thus, losses claimed by the heirs of the four States, £1,854,000; liquidation, £830,000; deductions, £577,000.

[2] John Eardley-Wilmot's *Historical View of the Commission for Enquiring into the Losses, Services and Claims of the American Loyalists.*

two shattered regiments who had fought so gallantly at Camden, and who now formed the nucleus around which, if time and means were given, Greene earnestly hoped to gather an efficient army.

Desiring to know the condition of his army, Greene requested his officers to furnish him with accurate returns of their commands, their time of service, how posted, and where employed; and he adds, "as militia is fluctuating, a weekly report will be necessary, specifying the number, condition, and time of service of the troops under your command."

His first returns were very discouraging, as they showed he had but twenty-three hundred and seven men in his entire army, more than half of whom were militia. There were present, and fit for duty, fourteen hundred and thirty-two; absent on detached service, five hundred and forty-seven, and one hundred and twenty-eight on extra service. These, with sixty artillery and ninety cavalry, completed the roll of the southern army. In a letter to Lafayette, dated December 29, 1780, he says that his "whole force fit for duty that were properly equipt, did not amount to eight hundred men;" over one-half of those were the two Maryland regiments, under Colonel Otho H. Williams and Lieutenant Colonel John E. Howard. John Eager Howard, the distinguished revolutionary officer, was born in Baltimore County, on June 4th, 1752. His grandfather, Joshua Howard, an Englishman, was implicated in Monmouth's insurrection, and to escape his father's displeasure, came to America, in 1667, and settled in Baltimore County, where he married Miss Joanna O'Carroll, whose father had lately emigrated from Ireland. Cornelius, father of John E. Howard, married Ruth Eager, whose grandfather, George Eager, purchased, in 1668, the estate of "Howard's Park," which once included a large part of Baltimore city and county. John Eager Howard, not educated for any particular profession, was induced to take up arms by the circumstances of his country. Upon his expressing a desire to take a part in the approaching struggle, one of the Committee of Safety offered to procure for him the commission of colonel; but he expressed his distrust of being able to perform the duties appertaining to so high a rank, and preferred the humbler station of a captain. His commission was accordingly obtained, and within two days a company was raised, and he was assigned to the regiment of Flying Camp, commanded by Colonel J. Carvil Hall. He immediately joined the army and was present at the battle of White Plains, and continued to serve until December, 1776, when the term of his regimental service expired. Congress, in September, had ordered several battalions to be raised in the Carolinas, to serve during the war, and in one of these, the 4th Maryland, commanded by Colonel J. Carvil Hall, he was commissioned by congress a major. In April, 1777, he marched with part of his

JOHN EAGER HOWARD.

regiment to join the army at Rocky Hill, near Princeton, with which he continued until the British crossed over to Staten Island, on the 30th of June, when he received information of the death of his father; upon which, Colonel Hall sent him home to superintend the recruiting service. In the following September he rejoined the army, a few days after the battle of Brandywine, and, at the battle of Germantown, gave conspicuous proofs of that cool courage which afterwards so greatly distinguished him. He was present at the battle of Monmouth, in 1778, and on the 1st of June, 1779, was made lieutenant-colonel of the fifth Maryland regiment, taking rank from March 11th, 1778. In April, 1780, he was detached with the Maryland and Delaware troops, and served under Gates in his disastrous battle of Camden. At the battle of the Cowpens, as we shall show, by a successful bayonet charge he decided the fortune of the day. This was said to have been the first occasion in the war in which the American troops fairly conquered the British with the bayonet in the open field. In the battle of Guilford, Howard again exhibited the discipline of his regiment, and won additional laurels as commander of Gunby's regiment. At the death of Lieutenant Colonel Ford, he was transferred to the command of the second Maryland regiment, and was engaged at Hobkirk's Hill. At the battle of Eutaw, the Maryland Line "swept the field with their bayonets," and Colonel Howard was severely wounded.

At the conclusion of the war, Colonel Howard retired to his patrimonial estate, and soon after, on the 18th of May, 1787, married Margaret Chew, daughter of Benjamin Chew, of Philadelphia. Benjamin Chew was the grandson of Colonel Samuel Chew, who came to Maryland in 1671, from Chewtown, Somersetshire, England, and was the son of Samuel Chew, a distinguished physician and judge, and a Quaker, who died June 16, 1744. Benjamin Chew, after studying law with Andrew Hamilton, and also in London, in 1743, settled on the Delaware, and in 1754 removed to Philadelphia, where he held respectively the offices of recorder, in 1755–72; register of wills, attorney-general (resigned in 1766), and became, in 1774, chief justice of Pennsylvania. He was for many years speaker of the House of Delegates of the three lower counties of Delaware. When the Revolutionary War broke out he was claimed by both the whigs and royalists; but after the Declaration of Independence he took a very decided stand against the latter. In 1777 he refused to sign a parole, and was sent a prisoner to Frederickstown, Virginia. In 1790–1806 he was president of the Pennsylvania High Court of Errors and Appeals.

Colonel John Eager Howard was a member of the Continental Congress in 1787–8, after which he was elected governor of the State three successive terms, in 1788–1789–1790. In 1794 he was appointed a major-general of militia, but declined it. In November, 1795, he also declined the secretaryship of war, tendered by Washington. At the time of this offer, he was a member of the Senate of Maryland, from which he was elected on November

30, 1796, to the United States Senate, to fill a vacancy occasioned by the resignation of Mr. Potts.[1] He was afterwards elected to the full term of service, which expired on the 4th of March, 1803. In 1798, in anticipation of a war with France, he was named by Washington, one of his brigadier-generals. Amidst the din of preparation for resistance to the meditated attack upon Baltimore, after the capture and destruction of Washington, by the British, in 1814, a suggestion was made that it would be wise to capitulate. As soon as it reached Colonel Howard, the spirit of the old soldier burst forth in the following indignant denunciation: "I have," said he, "as much property at stake as most persons, and I have four sons in the field. But sooner would I see my sons weltering in their blood, and my property reduced to ashes, than so far disgrace the country." At this critical period, besides contributing liberally to the common defence, he raised a troop of aged men and rendered important service in the field. In 1824 he lost his wife, and his own constitution began to suffer a gradual decay. In October, 1827, a slight exposure brought on a severe cold, which the most active treatment could not subdue. After a few days' illness he expired, on the 12th, without a struggle. His funeral was attended by the public authorities of Baltimore, as also by President Adams, and an immense concourse of people. Affluent in fortune, as rich in public regard, and blessed in his domestic and personal associations, he thus glided away from the small band of his compatriots, as full of honors as of years.[2]

Small as was Greene's force in 1780, it was almost naked, badly armed, short of ammunition and supplies, and destitute of tents and wagons—in short, deficient in every requisite of an army.

Provision being scarce in the neighborhood of Charlotte, and the want of wagons rendering it impossible to obtain the supplies which were abundant at a greater distance, it became necessary to change the situation of the army. General Greene determined to divide his army and to take post where provisions were in abundance on the right and left of the enemy's position at Winnsborough, a small village to the north of Camden, on the western bank of the Catawba. The main body, under General Greene, was to occupy a position chosen by Kosciusko, at Hick's Creek, nearly opposite Cheraw Hill, on the east bank of the Pedee, on the site of the present town of Chatham, South Carolina; while General Morgan with a body of the best troops was to take a position on the south of the Catawba, between the Broad and Pacolet Rivers.

On the 16th of December, the army was put under marching orders, and General Smallwood, who occupied an advanced position with a small force, was withdrawn into Charlotte. He was ordered to Virginia to co-operate with Steuben in the defence of that State, while his force was merged into the commands of Greene and Morgan.[3]

[1] He died in December, 1808.

[2] *Portrait Gallery.*

[3] Smallwood, who had aspired to the command of the department, and who had alienated himself by his equivocal conduct from many of his brother officers, while in Virginia had a dispute with Baron Steuben about rank. The question was referred to Washington, who said, in a letter

As the State was raising two new regiments for the southern army, the old officers of the remnants now with it were fearful lest they should be superseded in their commands, and they, therefore, two days before the encampment at Charlotte was broken up, addressed General Greene in a body upon the subject:

"Nothing could give me more pleasure," Greene replies, "than to have it in my power to oblige a corps of officers whose services have been so important to their country and so honorable to themselves. The subject you write upon is delicate, no less so for you than for me. As an officer I feel for you. As your commander, it is my duty to represent your grievances and to endeavor to procure you redress. . . I pursuade myself your fears are groundless respecting the intention of the State to incorporate the new regiments into the continental line. The resolution of Congress for the new establishment of the army says that the officers of the old regiments shall compose the officers of the new; therefore, the State will not have it in their power to impose those officers upon you even if they were guided by principles so unjust and impolitic." [1]

On the 20th of December, 1780, the divisions of the southern army moved in opposite directions from Charlotte, the main body towards the Pedee, and the detachment commanded by Morgan, consisting of three hundred and twenty light infantry, two hundred Virginia militia, and about eighty cavalry, in all five hundred and eighty men, was put in motion for the country watered by the Broad and Pacolet Rivers. The light infantry of the Maryland Line were commanded by Lieutenant Colonel Howard, of Maryland, Captain Robert Kirkwood, of Delaware, and Captains Anderson and Dobson, and Lieutenants Ewing, Watkins and Hanson, of Maryland. The Virginia militia were commanded by Major Edward Giles, of Maryland, and Major Triplett and Captains Buchanan, Tate and Gilmore, of Virginia. The cavalry were commanded by Lieutenant Colonel William Washington, Major Richard McCall and Captain Barrett, of Virginia.

After a tedious and distressing march through a rain which had continued eleven days in succession, the main army reached its new camp at Hick's Creek.

Morgan, with his five hundred and eighty men, crossed the Catawba on the evening of the 20th of December, a short distance below the mouth of the Little Catawba; and pursuing his march, passed Broad River above the mouth of the Pacolet, and on the 25th, encamped at Grindall's Ford on the north bank of the latter river. Here he was reinforced by Colonel

to General Greene, that he "was much surprised that any dispute about rank was likely to arise between Baron Steuben and General Smallwood; nor can I conceive upon what principles the latter can found his claim of seniority; for, if the date of his commission is to be carried back to any given period previous to his appointment, it may supersede not only the officers now in question, but many others, and, indeed, derange and throw into confusion the rank of the whole line of major-generals. But as the services of the Baron may be extremely necessary in Virginia, it may not be amiss for him to continue there till the principles of Major-General Smallwood on the subject are more clearly ascertained, and a decision is made by congress, if the dispute cannot be otherwise determined."—Sparks, vii., p. 360.

General Greene settled the dispute by ordering General Smallwood to Maryland to assist General Gist in raising and forwarding supplies and reinforcements for the southern army.—Reed, ii., p. 344.

[1] Greene's *Life of Greene*, iii., p. 89.

Pickens and Major McCall, with two hundred and sixty mounted Carolinians. On the 28th or 29th, General Davidson arrived with a hundred and twenty men, and returned to bring forward a draft of five hundred more.

Meanwhile, Cornwallis was not indifferent to the advance of Morgan, and determined to take immediate and vigorous measures against him. General Leslie, with his force from Portsmouth, Virginia, arrived at Charleston on the 20th of December, and soon after joined the main army. This reinforcement of fifteen hundred men proved a welcome addition, and Cornwallis advancing into North Carolina, hoped to get between the American army and crush it in detail.

On the 1st of January, 1781, Lieutenant Colonel Tarleton, an officer of great activity and courage, with his legion composed of infantry, artillery and cavalry, was despatched by Cornwallis to counteract the supposed designs of Morgan. Tarleton suggested that while he advanced to push or destroy Morgan over Broad River towards King's Mountain, the main body should co-operate, by moving forward to the same point; and in case Morgan's forces succeeded in crossing the river, intercept their further retreat and compel them either to fight, disperse across the mountains, or surrender. The suggestion was approved, and the necessary orders were given for the forward movement of the whole army. Tarleton advanced towards the Pacolet, which he reached on the 15th, while Cornwallis, proceeding up the eastern bank of Broad River, arrived at Turkey Creek on the following day. Morgan, aware of the movements of the enemy, broke up his camp at Grindall's Ford on the 15th, and having sent a number of small detachments, with directions to watch the fords of the Pacolet and bring him word when the enemy crossed the river, he put his troops in motion, and in the same afternoon encamped at Burr's Mills, on Thicketty Creek. In the evening, Tarleton reached the Pacolet, and on the following morning crossed the river, without interruption at Easterwood Shoals.[1] Gen. Morgan having been apprised by his pickets of Tarleton's passage of the Pacolet, a few hours after its occurrence, immediately put his troops in motion, and pushing forward on the mountain road leading to Hancocksville, he passed that place; then turning into a by-road, he proceeded towards the head of Thicketty Creek and arrived at the Cowpens about sundown, where he ordered a halt. Here Morgan determined to meet the enemy, as a fight had become imperative, and safety was only to be found in a battle.

GENERAL MORGAN.

During the night he was joined by Colonel Pickens, who, after a short absence, returned with a reinforcement of about one hundred and fifty militia, and before morning he was joined by about fifty more.[2]

[1] Tarleton's *Campaigns*, p. 213.

[2] Although Morgan had no very exalted opinion of militia, few officers were more popular with this description of troops, or could obtain more efficient service from them. Irreconcilable as these facts may appear, a multitude of in-

Early on the following morning, January 17th, 1781, Tarleton put his force in motion towards Morgan's position, the latter being apprised of the enemy's approach, began preparations to receive them. The troops, after a good night's rest, and having breakfasted, were promptly formed and led to the Cowpens, a piece of ground about six miles from Broad River.[1]

Morgan placed Major McDowell, with about sixty picked men of the South Carolina Militia, and Major Cunningham with a like number of Georgians, about a hundred yards in front of his first line, to act as skirmishers. In the rear of these were ranged in open order, on a line three hundred yards long, and one hundred and fifty yards in advance of the main body, three hundred and fifty Georgia and North Carolina militia. The first was commanded by Major Cunningham, aided by Colonel James Jackson, to the left; and the second, under Major McDowell, to the right. On the right of Major McDowell, Colonels Brannan and Thomas, of the South Carolina militia, took post; and on the left of Major Cunningham, Colonels Hays and McCall also at the head of the South Carolinians, were stationed. In the rear of these, and at the brow of a hill, Morgan posted his best troops. Howard's Marylanders, two hundred and eighty strong, took position in the centre of the line. The Virginia militia, under Major Triplett and Captain Gilmore, formed on the left of the Maryland battalion, and the Augusta riflemen, under Captains Tate and Buchanan, took post on their right. This line, with the militia and riflemen, numbering four hundred men, was placed under the direction of Lieutenant Colonel Howard, and upon it Morgan chiefly relied in the approaching conflict. In the rear of this main line, about one hundred and fifty yards, was posted Colonel William Washington with his own well-trained corps of eighty horsemen, and McCall's volunteers, one hundred and twenty men in all.

While these arrangements were being perfected, the British appeared in front, and advancing to within four hundred yards of the skirmish line, halted and began the preparations for attack. Riding up to the skirmishers, Morgan directed them to take the cover of the trees, and upon the advance of the

stances could be cited proving that such was the case. He was indebted to this influence to a number of causes, among which may be included his large martial figure, his established reputation for judgment and courage, his almost unvarying success, and his easy, familiar manners. The officer who possesses all these qualifications, seldom fails of subjecting to his will the minds and hearts of his soldiery. An anecdote is told by Major Thomas Young, a volunteer at the battle of the Cowpens, which illustrates one of the methods by which Morgan inspired his men with a portion of his own courage and confidence. "The evening previous to the battle," the Major goes on to say, "he went among the volunteers, helped them to fix their swords, joked with them about their sweethearts, and told them to keep in good spirits, and the day would be ours. Long after I laid down, he was going about among the soldiers encouraging them, and telling them that the 'Old Wagoner' would crack his whip over Ben (Tarleton) in the morning, as sure as he lived. 'Just hold up your heads, boys,' he would say, 'three fires, and you are free! And then, when you return to your homes, how the old folks will bless you, and the girls kiss you, for your gallant conduct!' I don't think that he slept a wink that night."—Major Thomas Young, in the *Orion*, ii., p. 88.

[1] In the early grants of land in that neighborhood, it was called "Hannah's Cowpens," it being part of the grazing lands of a person named Hannah. In time, it became known as "The Cowpens," and is now occupied by iron works, in Spartansburg district, South Carolina.

enemy within close range, to show whether they were entitled to the reputation of brave men and good shots. They were directed to retire as the enemy advanced, seeking shelter from the trees as opportunity might offer, loading and firing until they reached the main body of the militia, with whom they were to act. And as he turned away, "Let me see," he said, "which are most entitled to the credit of brave men, the boys of Carolina or those of Georgia."

He ordered the main body of the militia to reserve their fire until the enemy approached within fifty yards, when, after pouring in several well directed fires they were to retire in good order, and take position on the left of Howard's line in the rear, firing by regiments as they fell back. After complimenting them upon their spirit, and exhorting them to obey his orders, he proceeded to Howard's main line. To these he repeated the orders he had given those in advance, and explained the objects he sought to accomplish. These patriotic and brave men needed not the stimulus of spirit-stirring speeches to fit them for the performance of any achievement within the reach of well-disciplined courage; but he directed them to fire low and deliberately, not to break on any account, and if forced to retire, to rally on the eminence in their rear, where, supported by the cavalry and militia, defeat he regarded as impossible; and concluded by declaring that upon them the fortune of the day and his hopes of glory depended.

Orders were dispatched to Colonel Washington whose corps of cavalry was held in reserve upon the eminence in the rear, to assist in rallying the militia should they fly, and to protect them should they be pursued.

All the preparations having been made, Morgan took post in the rear of the main line, and waited the approach of the enemy. Under a heavy fire from their artillery they soon advanced on the American skirmish line, which was forced to give way under a charge from their cavalry. They fell back slowly and took position with the first line.

The enemy now steadily advanced upon the militia, who opened a close and deadly fire upon them. The effect of their fire told heavily upon their ranks, but particularly upon the officers, who fell at every discharge of the fatal rifle. The British, however, steadily pressed forward, and it was not until they had advanced to within one hundred and fifty yards of the main line, that the militia broke and made for Howard's main line, but before they reached this point they were charged by the British dragoons, and sought protection from the reserve behind the hill, whither they were closely pursued. The decisive moment was at hand; "would the Marylanders fight as they had fought at Camden?"

The British, deeming the victory already secured on the flight of the militia, rushed forward with shouts and huzzas towards the main line. Howard received them with a well directed fire, and now commenced the dreadful struggle. For twenty minutes the British pressed against the continentals with the whole weight of their compact line, but the Americans held their

ground with the greatest obstinacy as if "rooted to the spot." The enemy began to waver, their advance becoming slower every minute, until at length, ceasing altogether, Tarleton ordered up his reserve. The co-operation of the reserve re-animated the British line, which again moved forward; while their dragoons, taking a wide circuit to the left, were preparing to attack the American right flank.

At this terrible moment of anxiety, that portion of the British horse, which had pursued the flying militia in their retreat, now flew past the American left, closely followed by Washington's cavalry, while the militia under the redoubtable Pickens had rallied, reformed, and were now moving to the support of Howard.

The British line still advanced with the reserve outstretching Howard's front and putting his right flank in danger. To meet the threatened attack and to protect his line until the cavalry and militia could be brought to his assistance, Howard ordered his right company to change front, but mistaking the order, instead of wheeling to the right, the men, after coming to the right about, marched to the rear, which movement was slowly followed by the rest of the line. The position of the line was critical and the danger imminent, as it threatened the Americans with defeat. Howard, supposing that his line had been ordered to fall back to the hill in the rear, calmly noticed the admirable deportment of his men who moved as if on parade. His first impulse was to correct the mistake, but struck with the manner in which the retrograde movement was being effected, he allowed it to proceed.

Morgan seeing his main line in full retreat, rode with feelings of astonishment and alarm up to Colonel Howard, who briefly explained to him the cause of the movement, and at the same time removed the apprehensions he expressed for the event by pointing to the line and observing "that men were not beaten who retreated in that order." He was instantly reassured and directed Howard to ride along the line and to order the officers to halt and face about the moment the word to that effect was given, while he rode forward to select a place where the line should again be brought into action.

Before these manœuvres were executed, a messenger reached Howard from Washington, who had charged and broken the British cavalry. "They are coming on like a mob," he said. "Give them another fire, and I will charge them." The order to halt and turn upon the enemy flew along the line. "Face about, boys! give them one good fire, and the victory is ours!" was reiterated by the stern old wagoner as he galloped along the line. In a moment the whole line again stood face to face with the enemy, who, confident of victory, "were eagerly pressing forward, filling the air with their shouts, and too confident and too eager to keep their ranks." They had approached within thirty or forty yards of the American line, and stunned by this unexpected and terrible fire, which Howard poured into their disorderly ranks, they instantly recoiled. Before recovering from the shock, Howard shouted "charge," and pressing home his success, led his men upon the

bewildered enemy. The shock was irresistible. Some threw down their arms, and some sought safety in flight, but far the greater number prostrated themselves on the ground and begged for quarter.

Colonel John Eager Howard, in giving an account of this battle, says:

"Seeing my right flank was exposed to the enemy, I attempted to change the front of Wallace's company (Virginia regulars), in doing it some confusion ensued, and first a part and then the whole of the company commenced a retreat. The officers along the line seeing this, and supposing that orders had been given for a retreat, faced their men about and moved off. Morgan, who had mostly been with the militia, quickly rode up to me and expressed apprehensions of the event; but I soon removed his fears by pointing to the line, and observing that men were not beaten who retreated in that order. He then ordered me to keep with the men, until we came to the rising ground near Washington's horse; and he rode forward to fix on the most proper place for us to halt and face about. In a minute, we had a perfect line. The enemy were now very near us. Our men commenced a very destructive fire, which they little expected, and a few rounds occasioned great disorder in their ranks. While in this confusion, I ordered a charge with the bayonet, which order was obeyed with great alacrity. As the line advanced, I observed their artillery a short distance in front, and called to Captain Ewing, who was near me, to take it. Captain Anderson[1] (afterwards General Anderson, of Montgomery County, Maryland,) hearing the order, also pushed for the same object; and both being emulous for the prize, kept pace until near the first piece, when Anderson, by putting the end of his espanton forward into the ground, made a long leap, which brought him upon the gun and gave him the honor of the prize. My attention was now drawn to an altercation of some of the men with an artilleryman, who appeared to make it a point of honor not to surrender his match. The men, provoked by his obstinacy, would have bayoneted him on the spot, had I not interfered and desired them to spare the life of so brave a man. He then surrendered his match. In the pursuit I was led to the right, in among the seventy-first, who were broken into squads; and as I called to them to surrender, they laid down their arms and the officers delivered up their swords. Captain Duncanson, of the seventy-first grenadiers, gave me his sword and stood by me. Upon getting on my horse, I found him pulling at my saddle, and he nearly unhorsed me. I expressed my displeasure, and asked him what he was about. The explanation was, that they had orders to give no quarter, and they did not expect any; and as my men were coming up, he was afraid they would use him ill. I admitted his excuse, and put him into the care of a sergeant. I had messages from him some years afterwards, expressing his obligations for my having saved his life."[2]

[1] Captain Richard Anderson was a captain in the 4th Maryland Regiment, November 15, 1777. He died in Philadelphia, June 22, 1835, aged 84.

[2] *National Portrait Gallery*, vol. ii.

At the feet of the Marylanders, suppliants for mercy, were now the detested men who had seldom shown mercy to an American under similar circumstances. Indignant and furious at the recollection of their manifold outrages and cruelties, the ominous cry of "Tarleton's quarter!" passed with bitter emphasis from one end of the line to the other. The work of slaughter was about beginning, when Morgan, Howard, Giles and other officers, appealing to their better nature on behalf of the vanquished foe, succeeded in preventing a general massacre.

Howard having dispersed the enemy from his front, wheeled to the right where the contest was still maintained between the militia and Major McArthur's British battalion. Up to this time they had preserved order, and manfully maintained the contest, but upon Howard's line charging them in a hand to hand combat, they were thrown into confusion, and upon being summoned to surrender, they did so. Colonel Pickens received McArthur's sword, and the militia took charge of the prisoners. The enemy's artillery, after a desperate struggle, was captured by Captain Anderson, of the Maryland battalion.

Tarleton lost no time in his retreat, and to the celerity of his movements, and the error of his pursuers in taking the wrong road, he was subsequently indebted for his escape. The action commenced about seven o'clock in the morning and continued for nearly an hour. The result of the battle of Cowpens were for the Americans twelve killed and sixty-one wounded. The loss of the British was estimated at eighty killed, ten of whom were officers, and one hundred and fifty wounded, while the prisoners, including those taken by Colonel Washington and other detached parties after the battle, amounted to full six hundred. Twenty-seven commissioned officers were also taken, and subsequently released on parole. The trophies of victory were two stands of colors, two three-pounders, eight hundred muskets, thirty-five wagons, with the baggage of the seventh regiment, sixty negroes, one hundred cavalry horses, one travelling forge, and all the enemy's music. At one time, Colonel Howard had in his hand seven swords of officers who had surrendered to him personally, whilst he was "in among the seventy-first." General Morgan estimated the forces engaged as follows: Americans, eight hundred, two-thirds of which were militia, the other third being the Maryland battalion, who sustained the brunt of the battle and gained the victory. The British force amounted to about eleven hundred and fifty veterans. In his official report of the battle of Cowpens, General Morgan says:

"When the enemy advanced to our line, they received a well-directed and incessant fire. But their numbers being superior to ours, they gained our flanks, which obliged us to change our position. We retired in good order about fifty paces, formed, advanced on the enemy, and gave them a fortunate volley, which threw them into disorder. Lieutenant Colonel Howard observing this, gave orders for the line to charge bayonets, which was done with such address, that they fled with the utmost precipitation, leaving their field-pieces in our possession. We pushed our advantages so effectually, that they never had an opportunity of rallying, had their intentions been ever so good."

He mentions the name of all his officers[1] "for their bravery and good conduct," and especially his aide, Major Edward Giles, of Maryland.

The news of the battle of Cowpens spread rapidly throughout the country, stirring the hearts and reviving the hopes of all. The joyful tidings reached Greene's camp on the Pedee, on the 24th, and on the following day, Colonel Otho H. Williams writes to Morgan:

"I rejoice exceedingly at your success. The advantages you have gained are important, and do great honor to your little corps. I am peculiarly happy that so great a share of the glory is due to the officers and men of the light infantry. Next to the happiness which a man feels at his own good fortune, is that which attends his friend. I am much better pleased that you have plucked the laurels from the brow of the hitherto fortunate Tarleton, than if he had fallen by the hands of Lucifer. Vengeance is not sweet if it is not taken as we would have it. I am delighted that the accumulated honors of a young partisan should be plundered by my old friend.

"We have had a *feu de joie*, drunk all your healths, swore you were the finest fellows on earth, and love you, if possible, more than ever. The General has, I think, made his compliments in very handsome terms. Enclosed is a copy of his orders. It was written immediately after we received the news, and during the operation of some cherry bounce.

"I have only to add a repetition of my best wishes for you. Compliments to Howard and all friends. Adieu."

[1] Lawrence Everheart was born in Middletown, Frederick County, Maryland, 6th of May, 1755, and enrolled himself as a private soldier at Taney Town, on the 1st of August, 1776, in a company of the 1st Battalion of "The Flying Camp," commanded by Captain Jacob Goode. He was then in the twenty-second year of his age, tall of stature, and of powerful brawny limbs, capable of enduring much fatigue and hardship, and noble, manly countenance, and great courage. He set out for Annapolis on the 2d of August, and, with his regiment, joined General Beall's Flying Camp near New York. He participated at the battle of White Plains, and was at the surrender of Fort Washington, from which he escaped. At the expiration of his term of service, he returned with the remnant of the Flying Camp to Maryland, and in the summer of 1778, with a number of Marylanders, he enlisted, at Frederick, in Colonel Washington's regiment of cavalry. He served with this illustrious and daring officer in all his various engagements up to the battle of the Cowpens, where he was wounded and captured. On the morning of the 17th of January, Colonel Washington selected Sergeant Everheart, with thirteen men, to reconnoitre Lieutenant Colonel Tarleton's army. As the advance-guard of the enemy were mounted on the fleetest horses in the country, which they had impressed from their owners in South Carolina, they caught up to Everheart's pickets, and after a severe and bloody contest, he was captured, the enemy killing his horse under him. He was taken before Tarleton, when the following conversation occurred: "Do you expect Mr. Washington and Mr. Morgan will fight me to-day?" "Yes: if they can keep together two hundred men." "Then," said the former, "it will be another Gates' defeat." "I hope to God it will be another Tarleton's defeat," replied the gallant son of Maryland. "I am Colonel Tarleton, sir!" "And I am Sergeant Everheart, sir!" His numerous wounds, from which he was suffering greatly, were speedily dressed by the British surgeon, and he was treated with distinguished kindness. Now a prisoner of war, he was taken with the enemy's army to the scene of action. After Howard's last charge upon his right, and Washington's pursuit of the cavalry, the enemy finding they could no longer keep Everheart a prisoner, shot him with a pistol in the head, over one of his eyes. Washington's cavalry being then intermixed with the enemy, Everheart pointed out to Colonel James Simons the man who shot him, who was instantly shot, and his horse given to Everheart. Marshall, in his *Life of Washington*, iv., p 347, says: "In the eagerness of pursuit, Washington advanced near thirty yards in front of his regiment. Observing this, three British officers wheeled about and made a charge upon him. The officer on his right was aiming to cut him down, when a sergeant came up and intercepted the blow by disabling his sword arm. At the same instant, the officer on his left was about to make a stroke at him, when a waiter, too small to wield a sword, saved him by wounding the officer with a ball discharged from a pistol. At this moment, the officer in the centre, who was believed to be Tarleton, made a thrust at him, which he parried; upon which the officer retreated a few

Congress manifested their approbation by the passage of a preamble and resolutions on the 9th of March, 1781, expressive of their thanks to the officers and men who participated in the battle, and directing a gold medal with suitable inscriptions, to be presented to General Morgan. They likewise presented Colonel Pickens with a sword, and Lieutenant Colonels Washington and Howard with a silver medal each. Major Edward Giles, aide-de-camp of Brigadier General Morgan, was breveted major "in consideration of his merit and services." The Legislature of Maryland, and a number of the other States, marked the event with proceedings expressive of their gratification.[1]

Incensed at the defeat of Tarleton, Cornwallis, who was not more than thirty miles distant from the scene of action, determined to pursue his retreating adversary, regain his captured troops and baggage, strike terror into the heart of North Carolina, re-establish the royal government, and press forward to form a junction with the British troops under Arnold, in the Chesapeake. Leaving Lord Rawdon with a large force to hold South Carolina, Cornwallis, having been reinforced by Leslie's command, on January 19, 1781, began his long march. Collecting his army at Ramsower's Mill, on the south fork of the Catawba, he resolved, on the 25th, to sever his communications with South Carolina, and to turn his army into light troops. Destroying his extra baggage and nearly all his wagons, he took up his "flying march" in pursuit of the American army.

Morgan, anticipating the designs of Cornwallis, on the 25th wrote to Greene, advising a junction of their forces. Receiving this letter, Greene placed his army under the command of Major General Huger, with orders to press forward with all speed, by the direct road to Salisbury, while he, accompanied by an aide and sergeant's guard of dragoons, rode across the country nearly one hundred and fifty miles, and on the 30th, arrived in Morgan's camp, at Sherrald's Ford, on the Catawba. Receiving intelligence of the

paces, and then discharged a pistol at him, which wounded his knee." The sergeant here spoken of was Everheart. Colonel Washington, upon his return from the chase, embraced his wounded friend, and sent him, under the care of two dragoons, three miles distant from the camp, where his wounds were dressed by Dr. Pindall, formerly of Hagerstown, then surgeon of the regiment. Owing to his wounds, he did not participate in the battle of Guilford Court-House; but, at the request of his old commander, took charge of the baggage-wagons, and on the 18th of October, 1781, was present at the capitulation of Cornwallis at Yorktown, where he formed the acquaintance of Lafayette. In 1782, he was honorably discharged, and embarked in agricultural pursuits in his native valley. Having married, and become the father of several children, his time was chiefly employed in providing for their wants. After some years, he became a Methodist preacher. When the United States troops were stationed at Harper's Ferry in 1799, Colonel Washington, then holding a distinguished rank in the army, passed through Middletown, and inquired for his old and faithful friend, desiring that he would visit him the next day in Frederick. A large number of the citizens assembled to witness the interview. It is stated that, on approaching, they rushed into each other's arms, kissed, and gave vent to their feelings in tears of joy. This was the last time they ever met, though Everheart was urged by his old commander to remove to Carolina, where wealth, ease and happiness awaited him. Everheart died in 1839, and was buried with every respect by a grateful people.—*Maryland Papers Seventy-Six Society*, p. 42. *Southern Literary Messenger for 1838*, p. 590.

[1] Graham's *Life of Daniel Morgan*, p. 262, etc. Greene's *Life of Greene*, p. 128, etc. Johnson's *Life of Greene*, p. 322, etc. Lee's *Memoirs of the War*.

movements of the British commander, he sent dispatches to all the partisa leaders to gather their men and join the army as soon as possible. An expres was also sent to General Huger to order Colonel Lee, who had arrived in th camp on the 12th, with his legion in fine condition, to join him, remarkin that "here is a field and great glory ahead."[1]

In consequence of the rapid advance of the enemy, the expectation o being able to concentrate the American forces at Salisbury was abandone and the orders which had previously been given to General Huger to marc to that place were accordingly countermanded. The two columns were no directed to proceed, with all expedition, to Guilford Court House, where Gen ral Greene intended to effect a junction of his forces. Proceeding withou further delay, Morgan's force reached Guilford Court House on the evenin of the 8th of February, where he was joined on the following day by th troops under General Huger.

General Greene, knowing that his united force was too weak to offe battle, once more prepared to retreat. To cover this movement, he detache seven hundred picked men, consisting of "the cavalry of the first and thir regiments, and the legion two hundred and forty in all; a detachment of tw hundred and eighty infantry, under Lieutenant Colonel Howard; the infantr of Lee's legion, and sixty Virginia riflemen."[2] The command of this force wa first offered to Morgan, but owing to his ill-health from ague and rheuma tism, he was forced to decline the honor, and it was then given to Colone Otho H. Williams. General Greene feeling the greatest confidence in thi brave and distinguished officer, ordered him "to harass the enemy in thei advance, check their progress, and, if possible, give us an opportunity t retire without a general action." How well he performed his task, subsequen events show.

On the 10th of February, the two armies lay within twenty-five miles of eac other; Cornwallis at Salem, the other at Guilford. On the same day, th main body set forward on the direct road to Boyd's Ferry, while William with "the *elite* of the American army,"[3] armed as light troops, under Howard Washington, Lee and Carrington, placed themselves in front of the enemy The object of the movement was to mislead the enemy to gain time, and i was successful. Cornwallis, seeing the Americans in large force before hin halted and prepared his army for action, and in the meanwhile, Greene pushing forward with the greatest expedition, had gained nearly a day' march on him.

Being lightly equipped, Williams bent nearly all his energies to mislea the enemy and retard his movements. He manœuvred in front of the Britis advance under O'Hara, broke down the bridges, consumed or carried off th provisions along his route, and impeded its progress in a variety of ways

[1] On the march from Philadelphia, Colonel Lee passed through Maryland, where his legion was liberally equipped with over seventy-five horses and other accoutrements.

[2] Sparks' *Revolutionary Correspondence*, iii., p 227.

[3] Johnson's *Life of Greene*, i., p. 429.

while the main body moved forward unmolested. Great abilities were shown by the commanders on either side, in this trial of activity and skill. It was a long and severe march for both armies, and "the miserable situation of the troops, for the want of clothing," Green writes to Washington, "has rendered the march the most painful imaginable, several hundreds of the soldiers tracking the ground with their bloody feet. Your feelings for the suffering soldier had you been here, must have been pained upon the occasion."[1] And Colonel Lee adds: "The shoes were generally worn out, the body-clothes much tattered, and not more than a blanket for four men. The light corps was rather better off, but among its officers there was not a blanket for every three; so that among those whose hour admitted rest, it was an established rule that at every fire one should, in routine, keep upon his legs to preserve the fire in vigor. The tents were never used by the corps under Williams during the retreat. The heat of the fires was the only protection from rain and sometimes snow; it kept the circumjacent ground and air dry while imparting warmth to the body." The North Carolina militia becoming discouraged, by the third day all but about eighty of them had deserted, captains and majors going off with their men. "You have the flower of the army," wrote Greene to Williams; "do not expose the men too much, lest our situation should grow more critical." And early on the following morning, he writes again: "Follow our route, as a division of our forces might encourage the enemy to push us further than they will dare to do if we are together. I have not slept four hours since you left me, so great has been my solicitude to prepare for the worst. I have great reason to believe that one of Tarleton's officers was in our camp night before last."

Thus, this little army pursued their way through a wild and rough country, thinly peopled, cut up by streams, partly covered by swamps and forests, along deep and frozen roads, under drenching rains, without tents at night, and with scanty supplies of provisions. We forbear to enter into the details of this masterly retreat in which the Marylanders, under Howard and Williams, bore such a distinguished part.

On the 14th, Greene reached the Dan, and on the same afternoon wrote to Williams far in the rear, "The greater part of our wagons are over," he said, "and the troops are crossing." Later, he received another with the date, "Irvin's Ferry, five and a-half o'clock. All our troops are over, and the stage is clear. The infantry will cross here, the horse below. Major Hardman had posted his party in readiness on this side, and the infantry and artillery are posted on the other, and I am ready to receive and give you a hearty welcome." The brilliant Williams encamped as usual, in the evening, at a wary distance in front of the enemy, but stole a march upon them after dark, leaving his campfires burning. He pushed on all night, arrived at the ferries in the morning of the 15th, having marched forty miles within the last twenty-four hours,

[1] Sparks' *Revolutionary Correspondence*, iii., p. 234.

and made such dispatch in crossing, that his last troops had landed on the Virginia shore by the time the astonished and mortified enemy arrived on the opposite bank.

Nothing could exceed the chagrin and mortification of the British, at discovering, on their arrival at Boyd's Ferry, says an English historian, "that all their toil and exertions had been vain, and that all hopes were frustrated." "Your retreat before Cornwallis," wrote Washington, "is highly applauded by all ranks, and reflects much honor on your military abilities." "Every measure of the Americans," says Tarleton, "during their march from the Catawba to Virginia, was judiciously designed and vigorously executed." Special praise was given to Williams and his brave command, who had preserved the army in this retreat of two hundred miles, from the Catawba to the north bank of the Dan. Greene, in a letter to Washington, says: "The covering party was commanded by Colonel Williams, who had orders to keep as near the enemy as he could, without exposing the party too much, and retard their march all in his power. His conduct upon this occasion does him the highest honor." He baffled every attempt of the enemy to bring on a general engagement, and by checking the enemy's advance, gained sufficient time to enable the main body of the army to secure its retreat. The preservation of that army has been justly attributed to him, for it was due to his firmness, coolness and able manœuvres.

Cornwallis, finding that he could not capture or destroy the southern army, after giving his troops a day's rest, moved by easy marches to Hillsborough, where, on the 20th, he issued a proclamation inviting all loyal subjects in North Carolina to rally to the royal standard, which he erected in the town.

Ever since General Greene had taken command of the army, Maryland, according to her population, had furnished more troops than any other State in the confederacy. After the fearful reduction of her line at the defeat of Gates, we have seen that a large number of recruits were gathered and sent forward to fill the shattered ranks. At a very early period she had adopted the wise policy of enlisting men for the war, and the result of it was felt at the battle of Cowpens, Guilford, and the Eutaws. On the 17th of February, the Maryland troops in the field "to whose gallantry the country was so much indebted, and whose fidelity had risen superior to suffering and temptation, exhibited eight hundred and sixty-one fit for duty, two hundred and seventy-four in the hospitals."[1] And on this day, the whole number of men in camp fit for duty is stated at, infantry and artillery, one thousand and seventy-eight; cavalry, sixty-four; legionary infantry, one hundred and twelve. Georgia, South Carolina and North Carolina, had not a single regular in the field, and the militia had all departed with the exception of Pickens' small force of about one hundred and fifty men. The Delaware battalion under Kirkwood, was now reduced to about sixty or eighty effectives, and like the Marylanders, was the admiration of the army.

[1] Johnson's *Life of Greene*, i., pp. 434-443.

No sooner had Cornwallis fallen back from the Dan, than Greene sent Pickens and Lee on his track, and followed himself, on the 22d, with the rest of the army, including a reinforcement of Virginia militia. On the 25th, Lee's legion, in which were two Maryland companies, fell in with three hundred loyalists under Colonel Pyle, and routed them with dreadful slaughter. One hundred were left dead on the field, and very few escaped not seriously wounded. Judge Johnson says "there cannot be found such another instance of military execution inflicted by the American arms in the whole history of the Revolution."

Cornwallis, on the 27th, marched his whole force across the Haw, and encamped near Allemance Creek. For seven days Greene manœuvred within ten miles of the British camp without being forced into a general action. He waited until he could receive reinforcements, which began to come in early in March. He was joined by the second regiment of Maryland regular infantry, under Colonel Benjamin Ford, General Lawson's brigade of Virginia militia, and two brigades of North Carolina militia, under Generals Eaton and Butler. With these reinforcements, Greene determined to risk an engagement with the enemy, and on the 14th, encamped near Guilford Court House. The corps of light troops, under Williams, which had rendered such efficient service, was now incorporated with the main body, and all detachments were ordered to form a junction. Greene's whole effective force now amounted to about sixteen hundred and fifty-one regulars (mostly Marylanders,) and more than two thousand militia. The force of Cornwallis did not exceed two thousand four hundred men.

On the 15th of March, the enemy having sent off all their baggage, set out for Guilford. Greene, in the meanwhile, had drawn out his troops in three lines preparatory to action. The first was admirably chosen on the skirt of a wood, protected on the flanks and rear, with an open field in front, having a fence in the centre, behind which was posted the North Carolina militia, under Generals Butler and Eaton. About three hundred yards in the rear of the first line was the second, composed of Virginia militia under Generals Stevens and Lawson, surrounded entirely by woods. The third line, about four hundred yards in the rear of the second, was composed of Maryland and Virginia regulars, the two Maryland regiments commanded by Colonel Gunby and Lieutenant Colonel Ford, both under the command of Colonel Williams, who occupied the left of the line; while the two Virginia regiments under Colonel Greene and Lieutenant Colonel Hawes, and commanded by General Huger, held the right. The Maryland brigade numbered six hundred and thirty men, and the Virginia seven hundred and seventy-eight men. Colonel Washington, with a body of dragoons, Kirkwood's Delaware company, and a battalion of Virginia militia under Colonel Lynch, covered the right flank; Lee's Legion, with Captains Oldham's and Handy's Maryland companies of infantry, and detachment of riflemen under Colonel Campbell, covered the left. Two pieces of Virginia artillery were in the road in advance of the front line, and two from

Maryland with the rear line near the court-house, when General Greene took his position. About mid-day the enemy's advance made its appearance, and the battle of Guilford commenced by a cannonading on both sides. Cornwallis and his army steadily advanced in three columns; the Hessians and Highlanders under General Leslie, on the right, and Webster's brigade on the left. The cavalry, under Tarleton, was ranged in columns on the road in reserve. The British pressed on at a quick step, gave their fire, shouted and rushed forward, when the North Carolina militia broke and fled, "none of them having fired," says Greene, "more than twice, very few more than once, and near one-half not at all." These troops threw away in their disgraceful flight, their guns, most of them still loaded, their cartouch-boxes, and everything that could retard their progress. Their officers and Colonel Lee tried to check and rally these fugitives, but all was useless, terror had mastered them, and they flew in all directions.

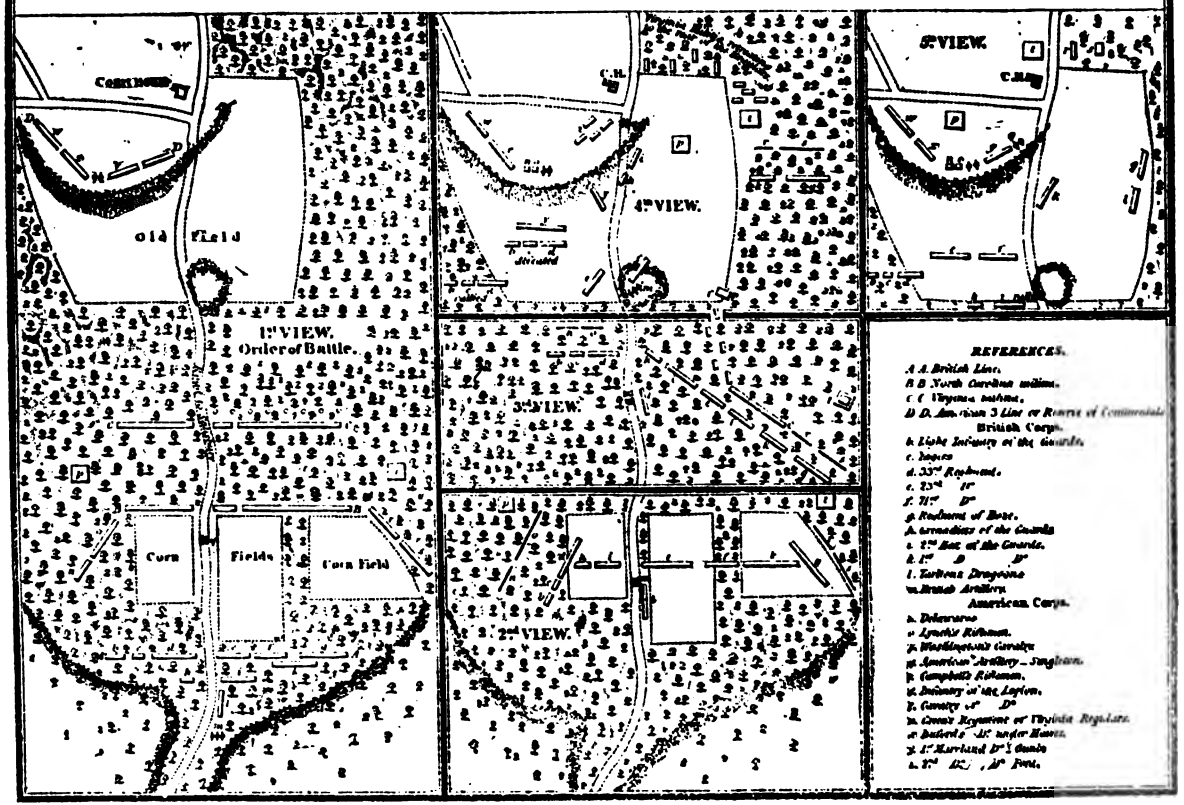
The British lost no time in attacking the second line, defended by the Virginia brigade. Here they met with greater resistance, but upon the enemy charging with the bayonet, they gave way. Flushed with victory, the column under Webster pressed with increasing ardor against the first Maryland regiment, now under the command of Colonel Gunby, who had hitherto been employed as deputy quartermaster at Hillsborough. These stood the shock bravely, and, when the enemy approached at close quarters, poured in such a heavy fire as to compel them to recoil. Seizing this favorable opportunity, they fearlessly charged with the bayonet which produced a complete rout. Had they been properly supported, the Americans would have gained a brilliant victory.

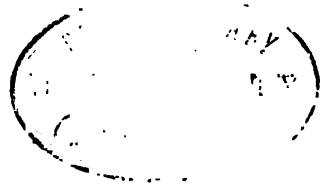
Although seriously wounded, Webster rallied his force, and being reinforced, renewed the attack under General O'Hara. The second Maryland regiment, which had been advanced to support the first, met the enemy, but broke and fled in disorder. At this critical moment, when the British were pressing on with loud shouts of victory, Gunby advanced, and wheeling, met them with bullet and bayonet. His horse was shot under him, disabling him for the moment by the fall, but Lieutenant Colonel Howard took his place. The ranks of the enemy at this time becoming much disordered, Washington's cavalry, attracted by the heaviness of the fire and their situation, came up at full speed and charged with a force that bore down all resistance. At the same moment, Howard rushing upon them with the bayonet, gave them no time to rally or restore their ranks.

"The battle was literally fought hand to hand. It was a contest not only for victory, but reputation; both these corps were elated with the pride of character acquired in many a bloody field, and were in fact, each a national boast—officers and soldiers equally valued themselves as the Jovians and Herculeans of the two armies; nor, were the incidents of it destitute of the features of chivalry and romance. Two combatants particularly attracted the attention of those around them. These were Colonel Steuart, of the guards, and Captain John Smith, of the Marylanders, both men conspicuous for nerve and sinew. They had also met before on some occasion, and had vowed that their next meeting should

BATTLE of GUILFORD.

5 Views shewing the successive changes of the Battle





end in blood. Regardless of the bayonets that were clashing around them, they rushed at each other with a fury that admitted but of one result. The quick pass of Steuart's small sword was skilfully put by with the left hand, whilst the heavy sabre of his antagonist cleft the Briton to the spine. In one moment the American was prostrate on the lifeless body of his enemy; and in the next, was pressed beneath the weight of the soldier who had brought him to the ground. These are not imaginary incidents, they are related on the best authority. A ball discharged at Smith's head as his sword descended on that of Steuart, had grazed it and brought him to the ground, at the instant that the bayonet of a favorite soldier, who always sought the side of his captain in the hour of danger, pierced the heart of one who appears to have been equally watchful over the safety of the British colonel."[1]

To stop the fierce pursuit of Washington and Howard, Cornwallis ordered his artillery to fire upon friends as well as foes. "It is destroying our own men," exclaimed O'Hara, who was bleeding fast from a dangerous wound. "I see it," replied Cornwallis; "but it is a necessary evil which we must endure to avert impending destruction." O'Hara turned away with a groan, as the fire from his artillery ploughed through the ranks of his fleeing guards. It checked the pursuit; but half the gallant battalion was destroyed.

Arrested by this terrible fire, and discovering one regiment passing from the woods on the enemy's right across the road, and another advancing in front, Howard believing himself to be out of support, collected his battalion amid the dead and dying, and retired in good order followed by Washington.

The battle which had raged for two hours now terminated. Greene could still have ordered into the fight two Virginia regiments, of which one had hardly been engaged, the other had been kept back as a reserve; but he hesitated, and leaving his cannon on the field, used this reserve to cover the retreat of the army. About three miles from the field of action he made a halt to collect stragglers, and then continued to the place of rendezvous at Speedwell's iron works, on Troublesome Creek.

The enemy's loss in killed and wounded and missing, amounted to over six hundred. Of these, one colonel and four commissioned officers were killed on the field; and Colonel Webster, Captains Schultz, Maynard, Goodrick and others, died of their wounds. General O'Hara was severely wounded, and General Leslie, from exposure, was obliged to leave the service. Colonel Tarleton was slightly wounded, and many others.

The American killed and wounded could never be accurately ascertained, as one-half of the North Carolina militia and a large number of the Virginians never halted after separating from their officers, but pushed on to their own homes. Greene states that three hundred of his continentals were killed and wounded; of his militia, nine North Carolinians, one hundred Virginians. Of the Virginians, two hundred and ninety-four were missing, "gone home," he writes, "to kiss their wives and sweethearts;" of the North Carolinians, five hundred and fifty-two. The chief loss was sustained by the first Maryland continental battalion, which bore the brunt of the action. Speaking of this

[1] Johnson's *Life of Greene*, ii., p. 12.

gallant corps, Mr. Johnson writes, "Excepting the infantry of the legion, and Kirkwood's little corps of Delawares, the first regiment of the Marylanders was the only body of men in the American army who could be compared to the enemy in discipline and experience; and it is with confidence that we challenge the modern world to produce an instance of better service performed by the same number of men in the same time. They did not exceed two hundred and eighty-five in number. Yet, unassisted, they drove from the field in the first instance, the thirty-third regiment, three hundred and twenty-two strong, supported by the Jägers and light infantry of the Guards. Before they had yet breathed from the performance of this service, they pierced the flank of the first battalion of the Guards, and aided by the cavalry of Washington, dissipated a corps far exceeding their own in number, and the very boast of the British nation. Volleys of grape-shot poured through their own ranks by the enemy, and the near approach of two British regiments on their left flank, arrested them in the pursuit; but they calmly, and in perfect order, returned to their position and exhibited a spirit that seemed only to covet more arduous service."[1]

General Greene, in a letter to the president of congress, dated March 16th, says: "The first regiment of Marylanders, commanded by Colonel Gunby and seconded by Lieutenant Colonel Howard, followed Washington's cavalry with their bayonets; near the whole of this party fell a sacrifice." Extract from a letter dated "Camp Speedwell Furnace," March 17th, 1781: "The first Maryland regiment being ordered to charge the enemy, most cheerfully embraced the opportunity, and being seconded by Washington's cavalry, they bayoneted and cut to pieces a great number of the British Guards who had taken our field pieces. . . Major Anderson and Ensign Nelson are amongst the slain; both were brave and both are justly lamented. Anderson was an excellent officer, but I regret his loss equally as a friend, for he was possessed of the most endearing social virtues."[2]

There were but two prominent officers of the American regulars who fell at the battle of Guilford; one of whom was Major Archibald Anderson of the first Maryland regiment, the same who so eminently distinguished himself at Gates' defeat. In him his State and the service lost a gallant and faithful officer. General Stevens, of the Virginia militia, and General Huger, were severely wounded.

The British having lost one-fourth of their army, and exhausted by fatigue and hunger, and their camp encumbered by the wounded, were unable to follow up their victory. Leaving a large number of the latter in the neighborhood of the field of action, on the third day, Cornwallis set out, by easy marches, for Cross Creek, now Lafayette, an eastern branch of Cape Fear River, where they crossed and moved on towards Wilmington, arriving there on the 7th of April. Later in the month, he left Wilmington, and formed a junction with the British army under Philips and Arnold, at Petersburg, Va.

[1] *Life of Greene*, ii., p. 15.

[2] Maryland *Journal*, April 3, 1781.

Immediately after Cornwallis left the neighborhood of Guilford, Greene started in pursuit, eager for battle. On the 28th, he arrived at Ramsay's Mills, on Deep River, which the enemy had crossed a few hours before. Finding that he could not overtake them, Greene, "determined to carry the war immediately into South Carolina." Dismissing the militia, whose term of service was about to expire, with his remaining force, consisting of about eighteen hundred men, set out for the enemy's outposts, in South Carolina. The strongest of these was Camden, held by Lord Rawdon, with a garrison of about nine hundred men. Greene determined to take this, as it would break the enemy's line in the centre, and the others would fall in detail. On the 6th of April he took up his line of march, and on the 17th, arrived at Lynch's Creek, near Gates' camping-ground of the summer before. On the 20th of April, he took post at Hobkirk's Hill, on the north of Camden, about a mile and a-half in advance of the British redoubts.

In the meanwhile, on April 6, 1781, Greene had detached Lee's legion, with Captains Oldham's and Handy's companies of Maryland riflemen, to form a junction with Marion and capture Fort Watson, at Wright's Bluff, on the left bank of the Santee, one of the strongest of those small fortified posts the enemy had constructed in that section of the country. Fort Watson was built on an Indian mound, which rose abruptly from a broad piece of table land, to the height of thirty-five or forty feet, and commanded all the ground around it. It was surmounted by a stockade and three rows of abatis, and its garrison consisted of one hundred and twenty men, under Captain McKay, a brave and spirited officer.

Lee and his force surrounded the garrison before his presence was known and immediately carried the outworks. Neither party having cannon, the besiegers found it would be slow work for regular approaches. On the 18th, Lee wrote urgently for a cannon, and, while waiting, it was suggested to erect a tower to overlook the garrison. The idea was immediately adopted, and on the morning of the 23d, the garrison saw a huge tower overlooking them, its summit crowned with a platform on which a body of picked riflemen were ready to shoot them down as soon as they made their appearance. A breast-work of logs had also been raised to protect it from assault, behind which Captain Oldham's company of veteran riflemen was stationed. Everything being ready, an assault was made and a passage opened in the "side of the mount near the stockade." The enemy finding further resistance useless, hoisted the white flag and surrendered. This was the first fruit of Greene's descent into South Carolina.

While Greene was waiting for reinforcements at Hobkirk's Hill, on the morning of the 25th of April, Lord Rawdon, who was aware of the condition of his army, marched out of Camden at the head of nine hundred men to surprise him. By keeping close to the swamp, the enemy took the American camp, "in some measure, by surprise," and opened fire upon their pickets. Captain Kirkwood and the Delaware company warmly engaged the British

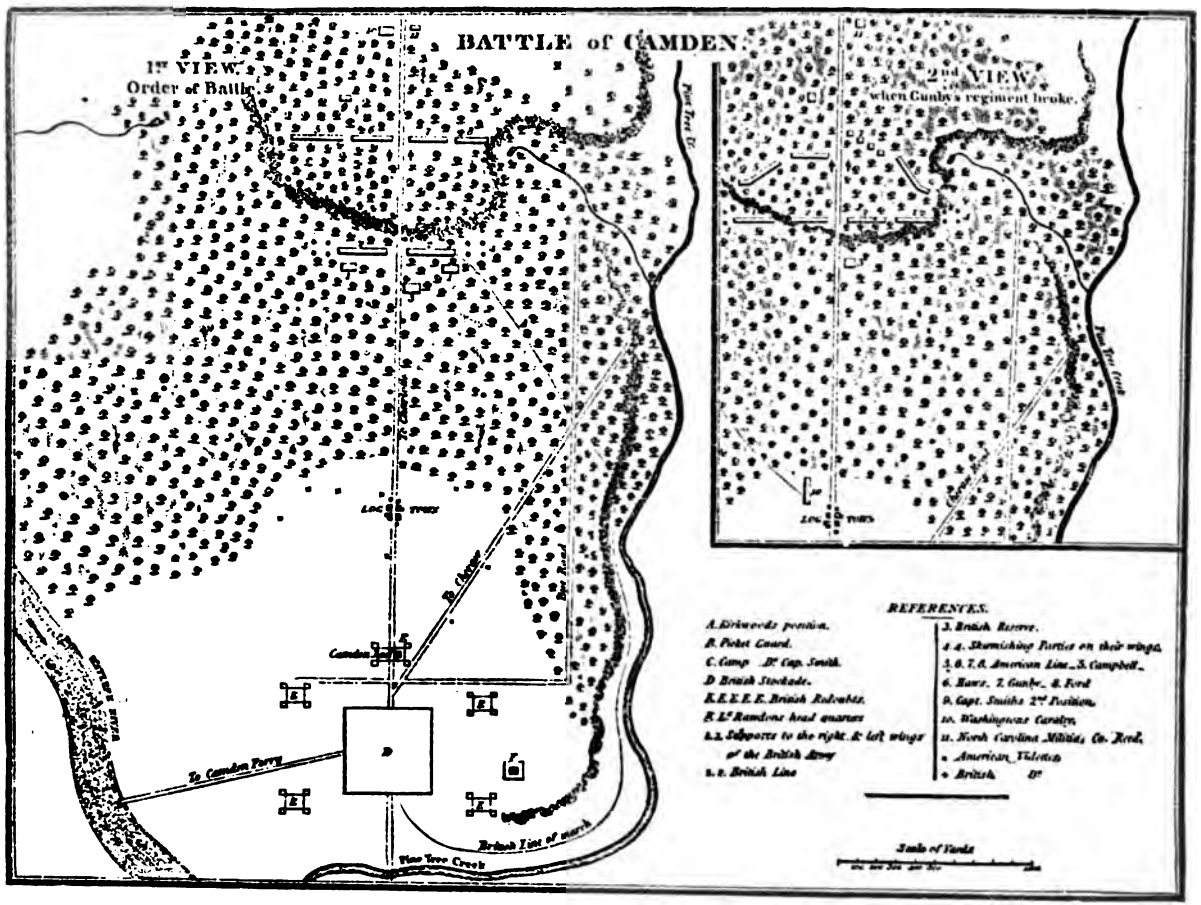
right and kept it in check until the main force could form into line of battle, while Captain John Smith, who had so gallantly distinguished himself at the battle of Guilford, with his Maryland company, acting as camp guards, being posted in advance of the American right, was ready to receive the enemy's left.

General Greene formed his order of battle in one line without reserves. The Virginia regiment of Colonel Hawes formed the extreme right, while that of Colonel Campbell formed the right centre. Colonel Gunby's first Maryland regiment held the left centre, while Colonel Ford, with the second Maryland, occupied the extreme left. The artillery was placed in the road in the centre of the line. The Virginia brigade was under General Huger, and the Maryland, under Colonel Otho H. Williams. Greene, with full confidence of victory, gave orders for "the cavalry to make for their rear, Colonel Campbell wheel upon their left, and Colonel Ford upon their right, and the whole centre charged with trailed arms."

But unfortunately for the success of these manœuvres, Colonel Ford, who was gallantly leading his new levies forward, was struck from his horse by a mortal wound; and his regiment, without a leader, only replied to the enemy by a loose scattering fire. Campbell's likewise failed him at the critical moment, and he also was wounded. "Meanwhile the artillery had opened a brisk fire, and the regiments of Gunby and Hawes were advancing to the charge with a firm countenance. The enemy's fire also began to grow heavy, and some companies on Gunby's right, forgetting the order to use only their bayonets, returned it. Still they continued to advance without any other indications of disorder. But at this moment Captain William Beatty, a favorite officer, dropped dead at the head of his company, shot through the heart. The company became deranged, and the confusion quickly extending to that nearest it, both fell out of the line. The other companies were still advancing, and had the rear companies been pressed forward at quick time, the onward impulse might have been preserved, and all yet have gone well. But instead of pushing them all forward, Gunby ordered them to fall back to the foot of the hill, and form there anew. The order was fatal. 'We are commanded to retreat,' said one to another, and the enemy pressing forward, the whole regiment gave way."[1]

The enemy seizing the opportunity, broke through the American centre and brought their whole force into action, compelling Greene to retreat. During its execution his artillery was in the greatest danger, and he directed Captain Smith, of the first Maryland regiment to secure it at all hazards. The enemy, to secure their prize, were rushing up the hill, when the artillerymen abandoned their guns, General Greene galloped up alone, dismounted, and seizing the drag-ropes with one hand, assisted in their removal. Captain Smith with his Maryland company soon arrived, and his men bearing their muskets in one hand, joined in the effort of dragging off the guns. Seeing

[1] G. W. Greene's *Life of General Greene*, p. 247.


BATTLE of CAMDEN.
1st VIEW.
Order of Battle.
2nd VIEW.
when Gunby's regiment broke.
Pine Tree Cr.
Pine Tree Creek
LOG TOWN
To Cheraw
Bye Road
Camden Road
To Camden Ferry
British Line of march
Pine Tree Creek
REFERENCES.
A. Kirkwoods position.
B. Picket Guard.
C. Camp Dr. Cap. Smith.
D British Stockade.
E.E.E.E.E. British Redoubts.
F. Lt. Ramdons head quarters
1.1. Supports to the right & left wings of the British Army
2.2. British Line
3. British Reserve.
4.4. Skirmishing Parties on their wings.
5.6.7.8. American Line_5. Campbell_
6. Hawes_7. Gunby_8. Ford
9. Capt. Smiths 2nd Position.
10. Washingtons Cavalry.
11. North Carolina Militia, Co. Reed.
American Videttes
British Dr.
Scale of Yards

the position of things, Captain Coffin, with the British dragoons. ascended the hill moving to the charge. "In an instant," says Johnson, "Smith's little band were formed in the rear of the artillery, and reserving their fire, poured it into Coffin's ranks with such destructive aim that they recoiled and fled. Again and again did Coffin return to the charge, while Smith's men, in the intervals of time, assisted at the drag-ropes; and as often as he repeated his attempts, was he foiled and driven back with loss. At length the infantry joined in the pursuit; and scattered marksmen approaching amongst the trees, Smith's men began to fall fast. He was himself badly wounded also, but his resolution, not even his cheerfulness, ever flagged. His forty-five men were now reduced to fourteen; and some accident having caused them to deliver an irregular fire, Coffin succeeded in forcing them, and every man was killed or taken."[1]

The artillery now seemed lost, but was saved by Colonel Washington coming to the rescue. Smith, however, was taken prisoner. Greene, after retiring about three miles, halted to recover his stragglers. Here he remained until the afternoon, when he continued the retreat with his artillery, etc., as far as Sanders' Creek, about four miles from the field of battle, where he encamped. In the battle at Hobkirk's Hill the losses of the combatants were about equal.

General Greene always attributed the loss of this battle exclusively to the mistaken orders issued by Colonel Gunby. The latter asked for a court of inquiry, which was readily granted. "General Huger, Colonel Harrison and Lieutenant Colonel Washington," say the orders for Saturday, April 28, 1781, at the camp at Rugeley's Mill, "are to compose a court to inquire into the conduct of Colonel Gunby, in the action of the 25th instant." On the 2d of May they reported:

"The Court whereof Brigadier General Huger is president, appointed to inquire into the conduct of Colonel Gunby, in the action of the 25th ultimo, report as follows, namely:

"It appears to the court that Colonel Gunby received orders to advance with his regiment, and charge bayonets without firing. This order he immediately communicated to his regiment, which advanced cheerfully for some distance, when a firing began on the right of the regiment, and in a short time became general through it. That soon after two companies on the right of the regiment gave way. That Colonel Gunby then gave Lieutenant Colonel Howard orders to bring off the other four companies, which at that time appeared disposed to advance, except a few. That Lieutenant Colonel Howard brought off the four companies from the left and joined Colonel Gunby at the foot of the hill, about sixty yards in the rear. That Lieutenant Colonel Howard there found Colonel Gunby actively exerting himself in rallying the two companies that broke from the right, which he effected, and the regiment was again formed and gave a fire or two at the enemy, which appeared on the hill in front. It also appeared, from other testimony, that Colonel Gunby, at several other times, was active in rallying and forming his troops.

"It appears, from the above report, that Colonel Gunby's spirit and activity were unexceptionable. But his order for the regiment to retire, which broke the line, was extremely improper and unmilitary, and, in all probability, the only cause why we did not obtain a complete victory."[2]

[1] *Life of Greene*, ii., p. 32.

[2] Johnson, ii., p. 85.

Subsequent reflection confirmed Greene in his opinion. On the 6th of August, 1781, he wrote to President Reed: "The troops were not to blame in the Camden affair; Gunby was the sole cause of the defeat; and I found him much more blameable afterwards, than I represented him in my public letters. The action of Camden was much more bloody, according to the numbers engaged, than that of Guilford on both sides. The enemy had more than one-third of their whole force engaged either killed or wounded, and we had no less than a quarter. Depend upon it, our actions have been bloody and severe, according to the force engaged, and we should have had Lord Rawdon and his whole command prisoners in three minutes, if Colonel Gunby had not ordered his regiment to retire, the greatest part of which were advancing rapidly at the time they were ordered off. I was almost frantic with vexation at the disappointment. Fortune has not been our friend."[1]

On the 10th of May, Lord Rawdon, after destroying all public buildings and stores, and many private houses, abandoned Camden, marched down the Santee, and did not halt until he reached Monk's Corner. Rapid successes now attended the American arms. On the 11th of May, Orangeburgh surrendered to Sumpter, and on the following day Marion also forced the surrender of Fort Motte. The British evacuated their post at Nelson's Ferry two days later, and on the 15th, Fort Granby capitulated to Marion. This active partizan now turned his arms against Georgetown, which the enemy evacuated and retreated to Charleston.

[1] *Life of Reed*, ii., p. 361. Greene, ii., p. 251.

Captain John Smith, who commanded a select company of the 1st Maryland Regiment, after his capture at Hobkirk's Hill, in defending the artillery, was refused his parole, and confined in the jail at Charleston. For some unknown cause, he had incurred the vengeance of the British officers, and was harshly treated. While confined in the provost jail, a charge was trumped up against him as follows: "It having been reported to Lord Rawdon by several deserters, and some prisoners from the American army, that Captain Smith had inhumanly put to death an officer and three private men of the guards, who were prisoners and defenceless, after the action of Guilford." Captain Smith, whose feelings were greatly outraged by the indignity offered to him, and fearful lest the enemy would sacrifice his life for that of Colonel Stewart, who, with a number of his men he had slain at the battle of Guilford, solicited and obtained permission to address a letter to General Greene on the treatment he was subjected to. The messenger to Greene also transmitted a letter from Lord Rawdon's brigade major. General Greene was seriously offended at the outrage which had been committed upon one of his favorite officers, and all his companions in camp felt the indignity as a personal offence. In reply, Greene wrote: "Nothing can be more foreign from the truth than the charge. I have only to observe upon it, that had such a charge been made against any of your officers whom the fortune of war had thrown into our hands, before I should have treated them with any particular marks of indignity, I should first have made inquiry, and had the fact better established. It is my wish that the war should be conducted upon the most liberal, rational and generous principles; but I will never suffer an indignity or injury to be offered to our officers without retaliation." This letter had the effect of procuring Smith's parole, but did not remove the vindictive feelings which the British officers retained against this gallant soldier. He was paroled in Charleston, and the following day, nearly penniless and on foot, his food and his handkerchief of clothes suspended on his shoulders, he passed out of the city, but was stopped a few miles beyond the British outposts by a party of men who issued from the woods. It was in vain that he exhibited his parole and passport; they stripped him, bound him to a tree, and inflicted upon him a barbarous castigation on the bare back. After partially gratifying their revenge and thirst for his blood, he was allowed to proceed.—Johnson, ii., p. 96.

The northwestern portion of South Carolina was thus recovered, but the British still held possession of Ninety-Six and Augusta. Colonel Clarke and General Pickens were marching to invest the latter, when they were joined on the 20th of May by Lieutenant Colonel Lee. Their first active measure was the reduction of Fort Galpin, a small stockade twelve miles from Augusta, garrisoned by two companies of infantry. They next began the siege of Fort Cornwallis and Fort Grierson, the defences of Augusta on the south bank of the Savannah River, Georgia. The besiegers soon got possession of the later fort, the greater part of the garrison being killed or made prisoners in a vain attempt to escape to Fort Cornwallis. But Fort Cornwallis, under Lieutenant Colonel Brown, held out bravely. Regular approaches were made on one side, frequent sallies on the other; and it was not till recourse had again been had to a tower, and after fifteen days of open trenches, that the place, on the 5th of June, capitulated.

During the siege, Captain Oldham's and Captain Handy's companies, who had been detached for service in Lee's legion, did gallant service. Oldham's company was posted to protect the tower from the frequent attempts of the enemy to destroy it. Upon one occasion in one of their sorties, the enemy, with the *élite* of the garrison, under the commander, fell upon General Pickens' militia. Handy, leaving Oldham's company to guard the tower, hastened to the relief of the militia, who were forced from the trenches. Lee says: "the conflict became furious; but at length the Marylanders, under Handy, carried the victory by the point of the bayonet."[1]

After the capitulation of Augusta, Lee hastened with his troops to join Greene before Ninety-Six, where he arrived on the 8th of May. Greene had commenced the siege on the 22d of May, 1781, but was making but little progress, and as Lord Rawdon was making forced marches from Charleston, with two thousand men for its relief, he determined to hazard an assault. Colonel Campbell, at the head of the first Virginia and the first Maryland regiments, commanded the assault on the redoubt. His forlorn hope was led by Lieutenant Duvall with a detachment of Marylanders, and Lieutenant Seldon with a detachment of Virginians. Fascines were prepared to fill the ditches; and close upon the footsteps of the forlorn hope, came men with iron hooks fastened to the end of long poles to pull down the sand-bags. Lieu-

[1] "To the name of Captain Oldham, too much praise cannot be given. He was engaged in almost every action in the South, and was uniformly distinguished for gallantry and good conduct. With the exception of Kirkwood, of Delaware, and Rudolph, of the Legion Infantry, he was probably entitled to more credit than any officer of his rank in Greene's army—a distinction which must place him high on the rolls of fame. In the celebrated charge on the British at Eutaw, of thirty-six men, which he led, all but eight were killed or wounded; yet he forced the enemy."—Lee's *Memoirs*, Edition of 1869, p. 362.

"Henry Lee, or 'Light Horse Harry,' as he was sometimes called, speaking of the 1st Maryland Regiment, says: 'It was this regiment which forced the guards at the battle of Guilford Court-House, killing their commandant, and driving them back, seeking shelter under cover of the British artillery; and a portion of the same regiment constituted a part of the infantry, which, under Howard, gave us the victory at the Cowpens, by the free use of the bayonet.'"—*Ibid.*, p. 340.

tenant Colonel Lee was charged with the attack on the stockade fort on the right, with the infantry of his legion and Captain Kirkwood's company. Major Rudolph commanded his forlorn hope. Lieutenants Duvall and Seldon were ordered to remove the abatis, and seizing the curtain opposite to them, clear the angle, while the hook-men advanced to pull down the bags. Piling these upon the fascines in the ditch, Campbell, with his Maryland and Virginia troops, was to force his way into the fort. On the left, Colonel Lee was ordered to possess himself of a stockade adjoining the fort, and govern his movements by the result of the attack on the fort.

Everything being ready, at noon the signal gun fired, when the American forts, rifle towers and the advanced works, opened their fire, and amid the thunder and smoke of their guns, each party rushed on to the attack. Lee found no difficulty in getting possession of the stockade, as the enemy had evacuated it the night before. The storming party under Campbell was not so successful, for on their side of the attack the battle raged, fierce and long. Duvall and Seldon, with their heroic band, leaped into the ditch and commenced the destruction of the abatis. The enemy's fire from right to left met them at their approach, and thinned their ranks at every step. "Through every loop-hole and crevice the fatal balls of the rifle poured down, and the projecting and re-entering angles hemmed them in between two walls of fire. Above bristled a deadly array of pikes and bayonets. As the abatis yielded to their efforts, they became at every instant more and more exposed. Officers and men fell around them on every side." Captain Armstrong, of the first Maryland regiment, fell dead at the head of his company. Captain Benson, Lieutenant Duvall, Lieutenant Seldon, and a number of other officers were wounded. For three-quarters of an hour did these brave men persist, and notwithstanding the fall of their leaders and two-thirds of their number, still pressed on, occupied the curtain, and maintained the conflict with the garrison, while the hookmen, who promptly followed, were struggling to get down the sand-bags. But the opposition they had sustained convinced General Greene that success could only be purchased at an immense sacrifice of lives, and he therefore ordered the assaulting parties to desist. The greater part of the wounded were brought safely back to camp in face of a galling fire. The stockade, captured by Lee, was abandoned in the night. Thus ended this bloody and spirited affair in which, for the number engaged, there was as much bravery displayed as ever was exhibited by any people. General Greene in his afternoon orders, on the 18th of June, 1781, said he took "great pleasure in acknowledging the high opinion he has of the gallantry of the troops engaged in the attack of the enemy's redoubt. . . There is great reason to believe that the attack on the star battery, directed by Lieutenant Colonel Campbell, would have been equally fortunate, if the brave Lieutenants Duvall and Seldon, who most valiantly led on the advanced parties, had not been unluckily wounded. Their conduct merits the highest encomiums, and must ensure them perpetual honor. The loss of the amiable Captain Arm-

strong, and the dangerous wound received by the intrepid Captain Benson, are to be regretted. Their names cannot be forgotten while acts of heroism are held in estimation. The good conduct of the officers and men who served the artillery at the several batteries merit attention. The consummate bravery of all the troops engaged, and the animated dispositions of those who were ready to engage, gained them the applause of their friends and the respect of their enemies.

"The general presents his thanks most cordially to both officers and soldiers, and hopes to give them an early opportunity of reaping the fruits of their superior spirit by an attack in the open field upon the troops now led on by Lord Rawdon."[1]

Thus ended the siege of Ninety-Six, which lasted twenty-eight days, and cost the American army one hundred and eighty-five men. Lord Rawdon, who had left Charleston on the 7th of June, to the relief of Ninety-Six, appeared within a few miles of Greene's camp, which the latter abandoned in the night of the 19th of June, moving by the way of the Saluda. On the 22d, he halted to observe the movements of the enemy, and on the next day he received intelligence that Lord Rawdon had entered Ninety-Six on the 21st, and was then in pursuit of the Americans. The army immediately resumed its march, and Rawdon, unable for the want of provisions to continue his pursuit, retraced his steps to Ninety-Six, followed closely by Lee. Lord Rawdon remained here two days, and then dividing his force, he left one-half at Ninety-Six, while he marched with the remainder to Orangeburgh. About the 12th of July, Colonel Cruger, the commander of Ninety-Six, abandoned that post and joined the main army.

Greene, in the meanwhile, with his army, went into camp on the High Hills of Santee, about ninety miles northwesterly from Charleston.

After a short rest, Greene, on the 23d of August, broke up his camp on the hills of Santee, and moved to attack the British at their post near the junction of the Wateree and Congaree. They retreated before him and halted at Eutaw Springs. Early on the morning of the 8th of September, owing to various causes, the enemy were not aware of Greene's approach until he was close upon them. The American army advanced to the attack in two lines of battle. The first line was composed of the militia in four small battalions; two of North Carolina under Colonel Malmedy formed the centre, and two of South Carolina, one on the right led by Marion, and one under Pickens, the left. The second line was formed of three hundred and fifty continentals of North Carolina, led by General Sumner, on the right, of an equal number of Virginians commanded by Lieutenant Colonel Campbell, in the centre, and two hundred and fifty Marylanders, under Williams on the left, divided into two battalions, commanded by Colonel Howard and Major Hardman. Two three-pounders under Captain Lieutenant Gaines, occupied a position in the centre of the first line, and two six-pounders under Captain

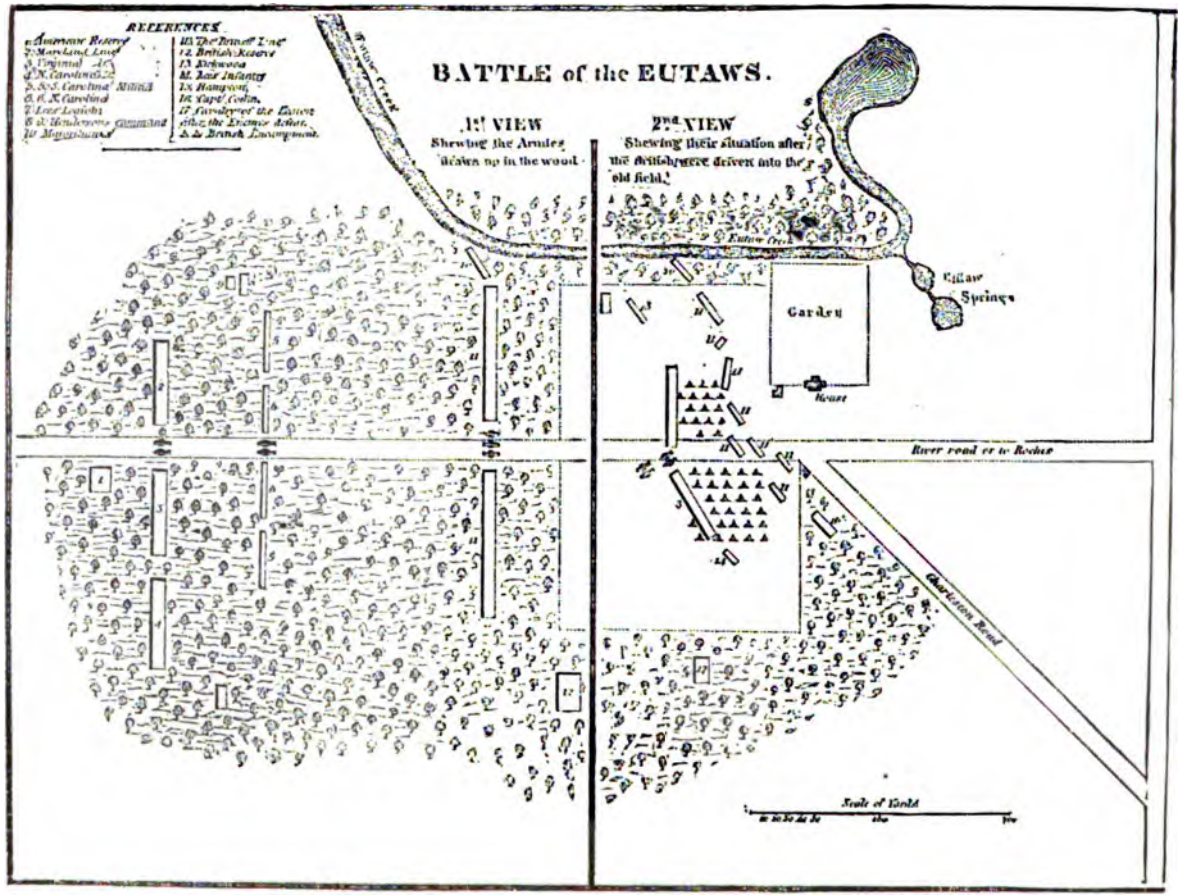
[1] Greene, iii., p. 315.

Browne, of Maryland, attended the second line. Lee, with his legion, and Henderson with the militia under Hampton, Middleton and Polk, protected the flanks, while Washington and Kirkwood formed the reserve.

Within a mile of the camp, they encountered the enemy under Colonel Stewart, who had thrown forward a small force to check their advance until he could form his main force in order of battle. Pressing steadily forward and firing as they advanced, Greene soon found himself in the presence of the whole British army. The action now became general. The militia of the front line fought for a time with the spirit and firmness of regulars. Their two field-pieces were dismounted, and there was great courage on both sides. Being greatly overpowered, they fought until they had expended seventeen rounds of ammunition, when they gave way, covered by Lee and Henderson, who fought gallantly on the flanks of the line. Sumner, with his North Carolinians, was instantly ordered up to fill the gap, while the strength of his line under Williams and Howard was held back for the final struggle. Sumner came up with the utmost promptness, and ranging with the corps of Lee and Henderson, the battle was renewed with redouble fury. In speaking of the conduct of this corps, General Greene observes "that he was at a loss which most to admire, the gallantry of the officers or the good conduct of the men." The enemy likewise brought their reserve into action, and the struggle was obstinately maintained between fresh troops on both sides.

Sumner's brigade, after sustaining for some time a much superior force, at length yielded and fell back. The British left, elated at the prospect, sprang forward as to certain victory, when their line became deranged. At this auspicious moment Greene ordered his adjutant-general, who remained in command of the second line: "Let Williams advance and sweep the field with his bayonets!" Williams was seconded by Colonel Campbell, with the Virginians. The order was gallantly obeyed. Emulous to wipe away the recollections of Hobkirk's Hill, they advanced within forty yards of the enemy, delivered a destructive fire, and, with trailed arms, advanced to the charge. The contest now raged, and the air rang with the shouts of the two opposing lines, as they mingled in the deadly strife. In the midst of the showers of grape and bullets, Colonel Campbell fell speechless upon the pommel of his saddle, from a wound in the breast. Williams and Howard were at the head of the line, however, and the Americans bore down all before them. At this moment the British centre gave way from left to right. One more volley from the Maryland Line, and along their whole front the enemy yielded. The rout was complete; the enemy fled in all directions, some through the woods, some along the Charleston road, carrying the terror of their defeat into the city.

Victory now seemed certain on the side of the Americans, as they had driven the enemy from the field and had taken possession of their camp. Unfortunately, the American soldiers thinking the victory complete, fell to plundering the camp and drinking the liquors found there. Many of


BATTLE of the EUTAWS.
1st VIEW
Shewing the Armies
drawn up in the wood
2nd VIEW
Shewing their situation after
the British were driven into the
old field.
REFERENCES
1. Ammon Battery
2. Maryland Level
3. Virginia do
4. N. Carolina do
5. S. & S. Carolina Militia
6. C. & R. Carolina
7. Lees Legion
8. Lt. Henderson's Command
9. Majr Marshall
10. The Brunsd Line
11. British Reserve
12. Webster
13. Coy Infantry
14. Hangton
15. Capt Coffin.
16. Lt. Col. Cruden
17. Lt. Col. Campbell
18. Lt. Col. Thompson
19. Lt. Col. Stewart
20. Lt. Col. Cochran
21. Lt. Col. Hamilton
22. Lt. Col. Mitchell
23. Lt. Col. Wade
24. Lt. Col. Wade
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97. Lt. Col. Wade
98. Lt. Col. Wade
99. Lt. Col. Wade
100. Lt. Col. Wade
Eutaw Creek
Eutaw Springs
Garden
House
River road to Roches
Charleston Road
Scale of Yards

them became intoxicated; and now all was changed to riot and disorder. The enemy, recovering from their confusion, took possession of a stone house in their rear and a palisadoed garden, from which they opened a heavy fire upon the advancing Americans. Four cannon were brought up to batter the house, but the riflemen from within picked off most of the officers and men who served them. Colonel Steuart rallied the remnants of his army to the support of those in places of refuge, and Greene, finding his ammunition nearly exhausted, retired. During the night the enemy, after destroying their stores, retreated in haste to Charleston, leaving seventy of their wounded. The American loss, in killed, wounded and missing, in the battle of Eutaw Springs, was five hundred and fifty-four men; they took five hundred prisoners; and the total loss of the British army is estimated at one thousand.

General Greene, in his official report of this engagement, distinguished particularly the Marylanders, for the free use of the bayonet. He observes that "the Marylanders, under Colonel Williams, were led on to a brisk charge, with trailed arms, through a heavy cannonade and a shower of musket balls. Nothing could exceed the gallantry and firmness of both officers and soldiers upon this occasion. They preserved their order, and pressed on with such unshaken resolution that they bore down all before them." Colonel Williams, who was one of General Greene's favorite counsellors during the whole of the southern campaign, received his highest commendations. Of him he says: "I cannot help acknowledging my obligations to Colonel Williams for his great activity on this and many other occasions, in forming the army and for his uncommon intrepidity in leading on the Maryland troops to the charge, *which exceeded anything I ever saw.*"

In a letter to General Smallwood, he writes: "Nothing could exceed the gallantry of the Maryland Line. Colonels Williams, Howard, and all the officers, exhibited acts of uncommon bravery; and the free use of the bayonet by this and some other corps, gave us the victory. But, though our glory was complete and advantages great, yet it has been at the expense of much blood. Many brave fellows have fallen, and a great number of officers are wounded; among the number is Lieutenant Colonel Howard. The Maryland Line made a charge that exceeded anything I ever saw. But, alas! their ranks are thin, and their officers are few!"

All writers upon the battle of Eutaw concur in the opinion that the soldiers on each side met at close quarters, and that many fell pierced with bayonet wounds. As evidence of this fact, we have one well corroborated incident. General Greene's negro body-servant, a private in the Maryland Line, at the beginning of the battle had taken his position in the ranks. At the bayonet charge, when the two lines were intermingled with each other in mortal combat, he found a foeman worthy of his steel, for after the battle he was found lying dead with his antagonist, each having been transfixed with the other's bayonet.[1] Colonel Lee, in his *Memoirs of the war in the Southern*

[1] Johnson, ii., p. 242. Greene, iii., p. 427.

Department, says a number of the Maryland soldiers fell pierced by the bayonets of the enemy. Extract from a letter dated camp at Front Springs, September 12th, 1781:

"General Greene, who is one of the bravest and best soldiers himself, is highly satisfied with the behavior of the troops in general, but particularly with our brigade; he saw them make a charge with trailed arms through the hottest of the enemy's fire, and was so delighted with their firmness and vivacity that he rode up to me and complimented them on the field. He has also done it in general orders. . . . If any former misconduct or accident in war has left a stain upon the Maryland troops, their exemplary conduct upon this occasion should obliterate it forever. Around the monument [an Indian mound] which I mentioned, four of our excellent officers and many of our brave brother soldiers fell. Let them rest in that ancient bed of honor. May their virtues only be remembered, and their spirits enjoy eternal glory."[1]

The thanks of congress were presented on the 29th of October, 1781, "to the officers and men of the Maryland and Virginia brigades, and Delaware battalion of Continental troops, for the unparalleled bravery and heroism by them displayed, in advancing to the enemy through an incessant fire, and charging them with an impetuosity and ardor that could not be resisted."

Of the officers of the Maryland Line, Captains Dobson and Edgerly, and Lieutenants Gould and Duvall were killed. Lieutenant Duvall, who had led the forlorn hope in the assault on Ninety-Six, was killed in pursuit of the enemy after he had captured one piece of their artillery. Lieutenant Colonel John Eager Howard, towards the conclusion of the battle, received a ball in the left shoulder, which passed entirely through, came out under the shoulder blade, and disabled him. He obtained a furlough to go home. Upon his departure from camp, General Greene, on the 14th of November, 1781, furnished him with the following letter to a friend in Maryland:

"This will be handed you by Colonel Howard, as good an officer as the world affords. He has great ability and the best disposition to promote the service. My own obligations to him are great—the public's still more so. He deserves a statue of gold, no less than the Roman and Grecian heroes. He has been wounded, but has happily recovered, and now goes home to pay a little attention to his private affairs, and to take charge of the fifth Maryland regiment, recruiting in your State."[2]

Captain J. Gibson was wounded in the arm; Lieutenant Hugon, in the groin; Lieutenant Woolford, thigh broke; Lieutenant Ewing, in the body; Lieutenant Lynn, leg broke; Ensign Moore, in the hand; and several others

[1] Maryland *Gazette*, October 18, 1781.

[2] Caldwell's *Life of Greene*, p. 175.

"Light Horse Harry Lee" said of him: "He was always to be found where the battle raged, pressing into close action to wrestle with the bayonet. Placid in temper, and reserved in deportment, he never lessened his martial fame by arrogance or ostentation."

slightly. Colonel Howard says in a letter: "Nearly one-half my men were killed or wounded, and I had seven officers out of twelve disabled—four killed and three severely wounded."

General Greene and his army rested a few days near Eutaw Springs, and then crossing Nelson's Ferry on the 12th of September, 1781, returned by slow marches to his old camp on the heights of Santee. Having, in a short campaign of nine months, recovered three Southern States with the exception of the ports of Wilmington, Charleston and Savannah, he proposed to give his continentals a short rest and recruit his force. In the meanwhile, Colonel Williams and a number of his officers obtained furloughs and returned home to attend to their private affairs and to recruit their commands, which had been so thinned by successive battles, and by hard service.

CHAPTER XXVII.

THE condition of affairs in Virginia, when General Greene took command of the southern army, has already been briefly noticed. Fully aware of the importance of securing this State, Sir Henry Clinton, as early as December 21, 1780, had dispatched the traitor, General Arnold, with a fleet of fifty sail, and sixteen hundred soldiers, to replace General Leslie, who had sailed for Charleston to reinforce Cornwallis. The land force was composed of British, Hessians and tories; and as Clinton distrusted Arnold, he sent with him Colonels Dundas and Simcoe, two experienced British officers, who were to be consulted in every movement. After a tempestuous voyage, Arnold and his force arrived in the Chesapeake Bay, and ascending the James River in some small vessels, landed at Westover, on the 4th of January, 1781, and on the following day marched into Richmond "with eight hundred and thirty men, and about thirty horse, without receiving a single shot."[1]

Having boasted that he would "shake the continent," Arnold set fire to all the public buildings, stores and workshops; private houses were pillaged, and a great quantity of valuable material consumed. This work of devastation accomplished, Arnold re-embarked his forces and moved slowly down the James, landing occasionally to burn, plunder and destroy. Petersburg, Chesterfield Court House, and other important places were captured, and all the shipping, tobacco, corn, horses and other property, public or private, which he found, were either taken or destroyed. General Smallwood, who was in Virginia at the time, hastily gathering about two hundred poorly armed militia, pursued the enemy and annoyed their progress. Upon one occasion, with a small force, he compelled a number of the enemy's armed vessels to abandon a prize they had captured at Broadways, on the James. Obtaining two small cannon, on the following day he

[1] "Counting a militia of fifty thousand, thirteen thousand of whom inhabited the country adjacent to the seat of war," Virginia might, in one campaign, have rescued the Carolinas from the enemy, and expelled the invaders from her soil. In vindication of the Government of Virginia, Jefferson, on the 10th of February, 1781, prepared an official statement, representing that Virginia had in the field 2,321 men, and acknowledged a deficiency below her quota of 3,188. The number of men actually with Greene, he stated to be 1,260, and the whole number in service, engaged for the war, was only 204!—"the rest for various, and generally very short terms of service." Mr. Hamilton says: "The field-return of the army exhibited a different result. The Virginia brigade showed a total rank and file, fit for duty, of 534 men, thirty matrosses, and seventy-four cavalry. This was about one-half of the number claimed by Jefferson. The cavalry, computed at 300, never equalled 100, from a State abounding in horses and in horsemen."—*History of the Republic*, ii., p. 239, etc.

renewed his attack, and forced the enemy to abandon City Point, and move down to their main fleet, at Westover. In these two engagements, General Smallwood had several men wounded. The enemy's loss is unknown. Later in January, the British cavalry surprised about one hundred and fifty Virginia militia, at Charles City Court House, killed two, wounded several and captured six prisoners. On the approach of Baron Steuben, on the south side of the James, at Hood's, the enemy embarked on board their fleet and proceeded to Portsmouth, where they began to fortify.

While the British army was stationed at Portsmouth, they overran the country on both sides of the Chesapeake. Sailing up the rivers, they pillaged the farms, carried off the negroes, often by force, and in some instances reduced the houses to ashes. A party landed on the Eastern Shore of Maryland and plundered the plantations of Hon. Edward Lloyd and John Beale Bordley[1] of a

[1] Thomas Bordley, the son of Stephen Bordley, a prebendary of St. Paul's Church, London, and nephew of Rev. William Bordley, was born in Yorkshire, England, about the year 1682, and came over to America, in 1694, with Stephen Bordley, an elder brother who was a clergyman, and first settled in Kent County, Maryland. He had lost his father, and at this time was but twelve years old. He went to Annapolis, and by close application qualified and prepared himself for the law. In due time, he was admitted to practice, and very soon became eminent in his profession. He was considered one of the first lawyers of his day; his opinions were sought with eagerness, not only in the province, but also in Pennsylvania and New York. In 1715, he was appointed attorney-general, and held it eleven years, until his death, October 11, 1726, aged 43. He was twice married. His first wife was Rachel Beard, of Annapolis; she brought him many children, but only four survived the state of infancy—Stephen, William, Elizabeth and John. Mrs. Rachel Bordley died in 1722. His second wife was Ariana Vanderheyden, widow of James Frisby, and grand-daughter of Augustine Herman. They were married on September 1, 1723, and had three sons—Thomas, Matthias, and John Beale, the last born four months after his father's death. Upon the death of Thomas Bordley, his wife Ariana married a third time, in November, 1728, to Edmund Jennings, of Annapolis. They removed to England in 1737, where she died in April, 1741, and her husband in 1756.

Stephen, the eldest son of Thomas and Rachel Bordley, was born in Annapolis, in 1709; he studied for the law, and was admitted to practice in England. As a lawyer, he stood high in the province and in Europe, and many distinguished lawyers of the province studied under him. He died at Annapolis, December 6, 1764, in the fifty-fifth year of his age. At the time of his death, he was one of Lord Baltimore's Council of State, commissary-general, and one of the aldermen of Annapolis. At one time, he represented Annapolis, and Anne Arundel County in the General Assembly; was naval officer of the district, and attorney-general of the province. On December 15, 1764, Hon. Charles Goldsborough was appointed commissary-general of the province in his place.

William Bordley, the second son of Thomas and Rachel Bordley, was born at Annapolis, in 1716; was educated with his brother Stephen in England, and settled on a farm in Cecil County. He married a Miss Pearce. He held several profitable offices, and died in 1762.

Elizabeth Bordley, the third child of Thomas and Rachel, was born in 1717, and died on the 28th of November, 1789, in her seventy-third year.

John Bordley, the fourth child, was born at Annapolis, in 1721, and died at Chestertown, in 1761.

Thomas Bordley, the first child of Thomas and Ariana, was born at Annapolis, in 1724, and when ten years of age was sent to England, where he was educated, and practiced law. He revisited America in 1746, but soon returned, and died in England, in 1747, aged twenty-three years.

Matthias Bordley, the second son of Thomas and Ariana, was born at Annapolis, in 1725. He married Miss Peggy Bigger, and settled in Harford County as a tobacco planter, where he died in 1756, aged thirty-one years.

John Beale Bordley, the third son of Thomas and Ariana, was born at Annapolis, February 1, 1727 (O.S.), the 11th of February (N.S.), four months after his father's death. He was educated at Chestertown, under the care of Colonel Hynson, who had married his mother's sister Francina. When Beale was seventeen years of age, he began the study of law with his eldest brother, Stephen, at Annapolis, and in due time was admitted to practice. In his twenty-fourth year, he married Miss Margaret Chew, daughter of Samuel Chew, of Maryland, and Henrietta

considerable quantity of specie, plate and other valuables. Another body entered St. Mary's River and destroyed the State tobacco warehouse with upwards of two hundred hogsheads of tobacco. They also plundered the neighboring plantations and carried off a large quantity of cattle, sheep and hogs. On the 31st of March, the British ships *Monk* and *Hope* were anchored off the harbor of Annapolis, for the purpose of preventing the transportation of troops collected at Annapolis for the relief of Virginia. While stationed here small marauding parties were sent in all directions to harass the people and to obtain supplies. About one hundred of the enemy proceeded up West River and landed at a place then called Chalk Point, where the State militia had planted a six-pound cannon, manned by six men. The enemy were not discovered until they had almost reached the land, and upon being challenged, answered that they were "friends to congress, from Annapolis." There were but twenty men in the battery, and these opened fire upon the barges. The enemy returned the fire furiously, with swivels and small arms, and the Marylanders, who were short of ammunition, were compelled to retreat. The British, piloted by a negro, proceeded to the residence of Mr. Stephen Stewart, which they plundered, and then destroyed all his out-buildings. They also destroyed his ship-yard, store-houses, ship-building materials, tools and a new ship on the stocks, capable of carrying twenty guns, which was nearly ready for launching.

The situation of affairs at this critical period, was such as to demand the utmost exertions of the government and people. Bereft of almost every resource but the firm hearts and stout arms of her sons, the State could add but little to the strength of the southern army, and was severely taxed to meet the danger at her own doors. The harassing system of predatory war-

Maria Dulany, his wife. In 1753, in his twenty-sixth year, he was appointed prothonotary (or clerk) of Baltimore County, which then included Harford County, and resided in and near Joppa between twelve and thirteen years. Upon relinquishing the office of prothonotary, he removed to Baltimore, and practiced law with the most flattering prospects. In 1766, he was appointed one of the judges of the Provincial Court of the province, and in 1767, was made judge of the Admiralty. He held both of these judicial offices until the change of government in 1776. In 1768, he was appointed one of the commissioners to run the boundary line between Maryland and Delaware; and in August of that year, met the commissioners at Chestertown, in Kent County. He was also one of the Governor's Council during the greater part of the administration of Governor Sharpe, and during the whole of Governor Eden's. In 1773, the members of the Proprietary Council were: Richard Lee, Benedict Calvert, Daniel Dulany, John Ridout, John B. Bordley, George Steuart, William Hayward, Colonel Fitzhugh, Daniel of St. Thomas Jenifer, and George Plater. In 1774 (the last under the proprietary), the members of the council and of the Upper House were: Benedict Calvert, John Ridout, John Beale Bordley, George Steuart, Daniel of St. Thomas Jenifer, Benjamin Ogle, Philip Thomas Lee, Daniel Dulany, William Hayward, William Fitzhugh, George Plater, and Edward Lee. Mr. Hayward was chief justice, and Messrs. Bordley, Jenifer, Philip T. Lee, John Leeds, John Cooke, and Joseph Sim, associate judges of the Provincial Court. In 1770, John Beale Bordley removed to his beautiful estate on Wye Island, and while living here his house was attacked and pillaged. On the 11th of November, 1773, his wife died at Chestertown. In 1783, he was elected a member of the "American Philosophical Society," and removing to Philadelphia in 1791, he established there the first agricultural society in the United States. Fond of husbandry, by his experiments upon his estates on Wye and Poole's Islands, and by his writings, he was instrumental in diffusing a knowledge of the art. He published at least a dozen works on Husbandry and other matters. He died January 26, 1804.—*Biographical Sketches of the Bordley Family.*

fare adopted by the enemy, whose control of the water enabled him to threaten many points at once, and to land, destroy, and re-embark before any help could be summoned, compelled the State to keep in the field a disproportionately large force of militia, who were thus withdrawn from agriculture to the impoverishment of the country and diminution of its resources. Yet the patriots of Maryland never faltered at this trying time. Sustained by a conviction of ultimate triumph, they endured every privation and made every sacrifice. They had gone into the war deliberately, even reluctantly, when it was seen to be not only just but necessary; and the die once cast, there was no looking back. They were determined that if the cause failed, it should be through no fault of theirs.

The tories in the disaffected districts of Somerset and Worcester Counties, though but few in number, encouraged and assisted the British in all these marauding enterprises, and sharing largely in the money which the latter distributed lavishly, fitted out refugee barges, and harassed the patriotic people along the water courses of the State with a constancy and courage that would have done honor to a better cause. Notwithstanding the numerous threatened outbreaks of the tories in these counties, and the terror they excited in the breasts of the inhabitants, a majority of the people there were zealous whigs; and none in the colonies were more earnest for independence or suffered more for its maintenance. The geographical position of this region made it a refuge for all the disaffected in the neighboring country, and being under the protection of the enemy's fleet, the whigs were fearful of sudden outbreaks. At no time, however, were the whigs in the immediate vicinity unable to suppress them, and it was always done before the arrival of the continental forces.

From the beginning of the war the inhabitants of the Eastern Shore felt the greatest distress for the want of arms. The State supplied, from time to time, the arms needed for the militia when called into service; but the supply was so small that when the militia joined the main army the people at home were left without arms. Under these circumstances Robert Goldsborough and Gustavus Scott, of Dorchester County, on the 16th of January, 1781, addressed the following appeal to Governor Lee:

"In the present alarming situation of our affairs we should be wanting in attention to the inhabitants of this town and county if we did not apply in the most earnest manner to your Excellency to supply us with the means of defending ourselves from an enemy so lately and so frequently almost at our doors; a particular part of the State when invaded has a right to expect assistance from the more powerful parts of it: local circumstances render it difficult for the inhabitants of this Shore exposed as they are to the utmost calamities of war and piracies, to expect assistance from our more powerful neighbors of the Western Shore. The greater then unquestionably is the need that we should have the means of defence in our own hands. We cannot but hope it is a fact not within your Excellency's knowledge that out of 1700 effective men in this County, not more than 150 of the number can be armed, not a single field-piece, nor ammunition sufficient for our number of arms. This State has no County in it which has manifested a more uniform and earnest zeal in

the present, just and necessary opposition than Dorset; but invasion without the power of resistance, however strong the inclination, will, and really has, sapped the Whigism of our common people; few even of the vulgar are so ignorant as not to know that allegiance and protection are reciprocal; they have frequently in the course of the summer been at the mercy of a cruel enemy without any other weapons to defend themselves but those which nature gave them. When the enemy landed at Vienna (a town not 20 miles distant from this place), with two barges and 30 men, there were not a dozen effective arms in the Town.

"The Lieutenant of this County will inform your Excellency of the number of arms and quantity of ammunition necessary for his militia. We flatter ourselves your Excellency will use every means in your power to supply our militia with 500 effective muskets, 2 field pieces and powder and ball sufficient for that number of arms. And also that the Commissary of Purchases may be supplied with a sufficient sum of money to purchase provisions for the use of the militia in case they should be ordered into actual service, as provisions of no kind can be bought here on the credit of the State, and the Commissary has not one shilling of public money in his hands."

The governor laid the subject before the legislature, and they passed "an Act to collect arms." By this law the lieutenant of the county, or any field officer, was empowered to seize all firearms, except pistols, in the possession of non-jurors. All persons, in an emergency, might be disarmed by a lieutenant and two field officers. If any one secreted or attempted to secrete arms, besides their forfeiture, he incurred a penalty of £5. Otherwise, the arms were to be valued, and a certificate receivable in payment of taxes, given for the amount. If the arms were not needed, they were to be restored to the owner on application.

Congress desiring to check the movements of the enemy in Virginia, and if possible to capture Arnold, on the 1st of January, 1781, passed a resolution instructing General Washington "that he should immediately make such distribution of the forces under his command, including those of our allies under the Count Rochambeau, as will most effectually counteract the views of the enemy and support the Southern States."

In compliance with these instructions, Washington endeavored to secure the co-operation of the French fleet, then anchored at Newport, for the purpose of blockading Arnold's squadron in the Chesapeake, and to assist the American troops on land. Deeming the continental troops and militia in Virginia sufficient to cope with the enemy on land, an offer of Count Rochambeau to furnish a division of land forces was refused. Monsieur Destouches, on whom the command of the French fleet had devolved upon the death of Admiral de Ternay, in December, on February 9, 1781, despatched from Newport M. de Tilly with his ship *L' Eveillée*, of seventy-four guns, accompanied by the frigates *Gentille*, *Surveillante* and the cutter *La Guêpe*, to the Chesapeake, with orders to destroy Arnold's flotilla. Washington was informed of the sailing of de Tilly's fleet as he was preparing to send off twelve hundred men under the command of General Lafayette, with instructions to act in conjunction with the ships sent by Destouches, and the militia under Steuben. He wrote at the same time to Governor Lee, informing him

of the movement of Lafayette's corps through Maryland, and requesting him to render all the assistance in his power, and not suffer the army to be delayed on the route, for want either of provisions, forage, wagons or vessels. Timothy Pickering, quartermaster-general, and Charles Stewart, commissary-general, writing on the 27th of February, from Philadelphia, to Samuel Purviance, at Baltimore, say:

"The Marquis La Fayette will pass by your city in a very short space with a very respectable detachment from General Washington. His movements will be as rapid as possible, therefore the supplies for his troops should be very certain; everything in the provision way is sent from hence, except flour, and that might also be forwarded, provided shallops were to be had from hence, and teams to cart it from Christiana to Elk; it seems also like sending coals to New Castle, to send flour from hence to Baltimore; therefore, to ward against every chance of disappointment, we beg of you to procure and put into the care of Mr. Donelan, commissary of issues at Baltimore, two hundred barrels of flour, or so much in addition to what he may have on hand, as to make up the quantity of two hundred barrels. We give you this trouble because we do not know who is the superintendent of purchase for the State of Maryland, whose residence may also be out of the way of this express, and also to avoid every possible delay on this occasion. If Mr. Donelan has flour on hand, or can instantly get it from the State agent, you will have no further trouble, but should neither be the case, and yourself and your brother merchants will please to furnish it, and be assured of having it replaced as speedily as possible out of the public magazine, of equal quality. We shall make no further apology at present for giving you this trouble, as we are assured of your readiness to do essential service to your country on every occasion."

In response to these letters, General Gist, David Poe, James Calhoun and Captain Keeports, of Baltimore; John Chalmers, Lieutenant Cheiveer and Stephen Steward, of Anne Arundel County; Thomas Beatty, of Frederick; George Murdock and Thomas Beall, of Montgomery; Colonel Henry Hollingsworth, of Cecil County, and Donaldson Yeates, were instructed by the governor and council to seize all the salt and fresh meats in their districts, and impress all the wagons, carriages, teams, drivers, vessels, etc., and send them to the head of the Elk for the purpose of transporting the troops, cannon, stores, baggage, etc., to Virginia. The commissaries of the Eastern Shore counties, excepting Cecil, had the same authority.[1]

Lafayette received instructions from Washington on February 20, 1781, and set out on his march southward two days later. He was at Pompton on the 23d, and passing through Princeton, embarked at Trenton on the 1st of March, passed Philadelphia on the 2d, and reached the head of the Elk on the 3d. It was not expected that he could arrive at this point before the 5th or 6th, but owing to the assistance rendered by Donaldson Yeates and Colonel Henry Hollingsworth, who had provided food and transportation along the

[1] On the 23d of January, 1781, Henry Sheaff was appointed State agent to furnish the Maryland soldiers in captivity in New York with such supplies and money as they required. Later in the year, Charles Croxall was appointed by the State to reside in the city of New York as her "commissary, to receive and distribute stores to her suffering captive prisoners, and to discharge the debts incurred by the officers and men, and to advance them such sums of money as may be necessary for their more decent support."

route from Chester, they made the march from Morristown in five days. Colonel Gouvion, with his force, had taken another route, by the way of Wicomico River, where he arrived on the 4th of March, preparatory to crossing the bay.

Upon his arrival at the head of Elk, Lafayette received a letter from Governor Lee, dated the 3d of March, in which he wrote: "We have ordered all the vessels at Baltimore and in this port to be impressed and sent to the head of Elk to transport the detachment under your command, and have directed six hundred barrels of bread to be forwarded in them. This State will most cheerfully make every exertion to give force and efficacy to the present important expedition by every measure in our power." Lafayette also received a letter from Washington, informing him that the naval force under M. de Tilly had returned to Newport, and that the expedition was successful in part, though not to the extent anticipated. It seems that the French squadron returned to Newport on the 24th of February, having captured the British frigate *Romulus*, of forty-four guns, two privateers, one of eighteen and the other of fourteen guns, sent four prizes to Yorktown, burnt four others and taken about five hundred prisoners. Upon the approach of the French fleet, Arnold withdrew his frigates, one of forty-four and two others of thirty-two guns each, high up the Elizabeth River, out of the reach of capture. The *Surveillante* of the French fleet ran aground in the effort to reach the British vessels, and was got off with difficulty. M. de Tilly, seeing that Arnold was out of his reach, and fearing to be himself blockaded should he linger, put to sea and returned to Newport. At the earnest solicitation of Washington and the French minister, Count Luzerne, Destouches now determined to follow a plan suggested by Washington, to operate in the Chesapeake with his whole fleet and a detachment of land troops under Rochambeau. This plan was communicated to Lafayette on his arrival at Elk. His instructions had been these: "Upon your arrival at the head of Elk, you will immediately embark the troops if the transports are ready, that not a moment's time be lost after you receive certain advices that our friends are below. But until that matter is ascertained beyond a doubt, you will, on no account, leave Elk River."

Having received Washington's letter, notwithstanding the instructions of the commander-in-chief, Lafayette "determined to transport the detachment to Annapolis" "for many essential reasons."[1] Before his departure, however, he received another letter dated March 5th, from Governor Lee, in reply to one written upon his arrival at Elk. The governor says:

"We are fully impressed with the advantages which the States in general, and Maryland in particular, will derive from the success of the expedition which you have the conduct of, and truly lament the difficulties which have occurred. We, however, flatter ourselves the movement of your detachment will not be much retarded on that score, as the wind has been so favorable for some time past as to give a number of vessels impressed

[1] Sparks, viii., p. 510.

in this port and Baltimore Town an opportunity of getting to the head of Elk. We beg leave to renew the assurances already given that every exertion in the power of this State shall be cheerfully made to remove the difficulties you may apprehend in transporting the troops down the bay. It will give us the highest pleasure to have any share of the accomplishment of your projects attributed to the exertions of Maryland. We have prepared a despatch-boat to convey your letter to the commanding officer near Portsmouth, which will be sent off as soon as the winds will permit; and have given directions to the master to throw it overboard if he should be in danger of being taken."

The governor and council also despatched Captain John Pitt down the bay to give information of the arrival of the French fleet; and beacon-signals were arranged along the shores. The State also had established at this time "a chain of riders that go through this State, and sometimes to Wilmington, Delaware."

As the transports were slow in arriving at the head of Elk, Lafayette, at the suggestion of his aide-de-camp, Major James McHenry, determined to appeal to the merchants of Baltimore, who were ever ready to respond to appeals to their patriotism, and freely contributed their means and their assistance to carry out the measures adopted to provide for the subsistance and the transportation of armies, and aid in the equipment of vessels of war. With intense vigilance they watched the movements of the war, fully conscious of the uncertainty of its issue, and of the hazard they were incurring by their conspicuous zeal in the cause, yet shrinking from no risk as they shrank from no sacrifice. Lafayette knew and appreciated their spirit, and felt that he could rely on them for the assistance he needed to transport his army to the South. James McHenry, his aide-de-camp, was also a well-known citizen of Baltimore, and he determined, through him, to apply to the merchants, of which his father was a leading one, for aid and assistance. Major McHenry, the son of Daniel and Agnes McHenry, was born in Ballymena, County Antrim, Ireland, on the 16th of November, 1753, and came to Baltimore about the year 1771. In a short time he induced his father and younger brother, John, to emigrate to America, and they established themselves in trade in Baltimore. In the meantime, James McHenry, who had received a slight education in Dublin, was sent in 1772 to Newark Academy, in Delaware, and afterwards studied medicine under Dr. Benjamin Rush, of Philadelphia. He joined the army under Washington late in the year 1775, as an assistant surgeon, and in January 1776, was in attendance at the American Hospital, at Cambridge. On the 26th of October, 1776, congress passed the following resolution: "Resolved, That congress have a proper sense of the merit and services of Doctor McHenry, and recommend it to the directors of the different hospitals belonging to the United States to appoint Dr. McHenry to the first vacancy that shall happen of a surgeon's berth in any of the said

MAJOR McHENRY.

hospitals." On the following day, his friend, Dr. Rush, forwarded the resolution "to Dr. James McHenry, at Mount Washington or New York," with a letter, in which he said: "the above resolution of congress does you as much honor as if they had made you a director of the hospital." On August 10th, 1776, congress commissioned him surgeon of the 5th Pennsylvania battalion, commanded by Colonel Robert Magaw. Upon the capture of Fort Washington, in November, 1776, he was taken prisoner, and upon application on January 27th, 1777, he was paroled, together with a number of the sick privates, and reported to General Washington on January 31st, at Hydestown, New York. He visited his home in Baltimore, until an exchange could be effected. On March 5th, 1778, Alexander Hamilton, then aide-de-camp to Washington, announced to Dr. McHenry, from Valley Forge, that his exchange had been effected, and congratulated him on the event. Dr. McHenry immediately reported for duty, and on May 15th, 1778, he was appointed by Washington, one of his secretaries. From this time his relations with Washington were always most cordial, and through life Washington wrote to him as to a trusted friend and adviser. He remained on the staff of the commander-in-chief until August, 1780, when he was assigned to the staff of Lafayette, where he continued until the close of the war. In compliance with the request of Washington and General Greene, congress, on May 30th, 1781, commissioned Dr. McHenry as major, to date from October, 1780. He was "with Lafayette, as aide-de-camp, when Arnold's treason was discovered, and on the morning of September 24th, 1780, just before the discovery took place, parting company with Washington and Lafayette, who went on to examine the redoubts, McHenry rode up to Arnold's head-quarters, to make Washington's apologies to Mrs. Arnold about delaying breakfast. The party was still at table when a hurried message was brought in to Arnold, which caused him to mount his horse and ride for his life." On September 14th, 1781, Dr. McHenry was elected to the State Senate, and held his seat until he resigned, early in 1786. In May, 1783, he was appointed a member of congress, to fill the vacancy caused by the death of Edward Giles,[1] and on November 27th, 1783, was elected by the legislature, and held the office until 1786. In 1787, he was a delegate from Maryland in the constitutional convention which framed the Constitution of the United States, and a member of the State Convention which adopted the Constitution, in April, 1788. In the fall of 1788 he was elected to the House of Delegates, which position he held until 1791, when he was again elected to the State Senate. He held this office until January, 1796, when Washington appointed him Secretary of War, to fill the vacancy caused by the promotion of Timothy Pickering's promotion to the office of Secretary of State. McHenry remained in office to the end of Washington's administration, and under President Adams, until a breach occurred between that president and his secretary, which caused Dr. McHenry to send in his resignation in May, 1800. While

[1] He died at Annapolis, March 10, 1783.

in office, Dr. McHenry put the country in a state of readiness for war by building and equipping powerful frigates, by erecting armories and arsenals, and by establishing the Military Academy at West Point. On May 21, 1798, Benjamin Stoddert was appointed secretary of the newly constituted department of the navy, which, up to this time, had been conducted by the Secretaries of the War and the Treasury.[1] After his retirement from the War Department, Dr. McHenry appears to have taken little or no part in public life. In 1807, he published a directory of Baltimore City, and wrote in 1811, a political pamphlet entitled, "*The Three Patriots*," the characters portrayed being Jefferson, Madison and Monroe. In 1813, he was President of the Maryland Bible Society, and on the 3d of May, 1816, he died, at his home in Baltimore, in the 63d year of his age. Fort McHenry, which is at the entrance of the harbor of Baltimore, preserves his name. He had married January 8th, 1784, Margaret, daughter of David Caldwell, of Philadelphia, and at his death he left surviving him his wife and two children—his son John and daughter Anna, who married James Pillar Boyd.[2]

On the 6th of March, 1781, Major McHenry wrote the following letter to the merchants of Baltimore for aid to transport Lafayette and his army to the South.

"On joining Major General the Marquis de la Fayette, I was convinced of what I had before suspected, that his enterprise wanted all your assistance. He has been greatly disappointed; and of course it has stood still for some days; and without any general exertions may be defeated in its commencement. Such is the deranged state of our treasury affairs, that public officers find a thousand inconveniencies and obstacles in the execution of their duty. Scarce a wagon can be put in motion without adding to the powers of government that of private assistance. In such a situation, it becomes the duty of individuals, and of particular societies of men, to contribute a certain support beyond what may be considered their proper proportion. This is looked for under all governments, but expected more particularly in the republican. I need not select as an instance, the Philadelphia merchants who have so long kept the northern army supplied with provisions.

"You will be surprised that a sufficient number of vessels for the transport of the troops have not yet arrived. But there are other matters as necessary to the enterprise which, without your interposition, may not be provided.

"I do not intend, from this representation, that the merchants should furnish the enterprise with everything that is to be procured from Baltimore, at their private expense. I would only propose to your consideration, the propriety of forming a committee out of your body for the purpose of giving effect and furtherance to the measure taken by the public, to such a point as you may judge proper, or as may be done without material injury to yourselves.

[1] Benjamin Stoddert, the first secretary of the navy until January 26, 1802. His father, the United States navy, was born in Maryland, Captain Stoddert, was an old Indian fighter in in 1751, and died at Bladensburg on the 17th of Western Maryland, and gave his name to Fort December, 1813. He was a captain at the battle Stoddert in the West before the Revolution.
of Brandywine, and afterwards major in the Revolutionary army. For many years, he was extensively engaged in mercantile pursuits in Georgetown, D. C. He continued secretary of

[2] *Sketch of the Life of Dr. James McHenry*, by Frederick J. Brown, Maryland Historical Society Fund, Publication No. 10.

"The Marquis cannot write you himself in the first instance, nor before he knows your disposition or arrangements. If you do anything, I beg it may be instant; that we may have it to say to ourselves the expedition has not failed for want of what support we could give it. As it is probable another detachment will follow this, we shall want more vessels—your assistance may also become essential during the whole course of our operations."

Immediately upon the receipt of this letter, the Baltimore merchants called a public meeting, at which Robert Purviance, William Patterson and Matthew Ridley were appointed a committee to co-operate with Major McHenry in procuring supplies of money, clothing, etc., for the troops. On the 9th, they transmitted to the major the following reply to his letter:

"In consequence of your letter dated March 6th, 1781, to the merchants of Baltimore stating the difficulties that may possibly arise respecting the troops at the head of Elk, a meeting of this body was held to-day, when we had the honor of being appointed a committee to transact the business on the present occasion.

"We are authorized to assure you in their names that no exertions within the compass of their abilities shall be wanting to expedite the enterprise of Major-General the Marquis de la Fayette and the military subordinate to him, they being warmly disposed to aid and give immediate energy to his operations against the common enemy.

"And on the application of the commanding officer to us for any articles which, though necessary to furnish the detachment, government cannot procure on the present emergency, the merchants here will give their best assistance to obtain them.

"We would, however, suggest the expedience of giving us timely notice of such deficiencies, as some articles are always difficult to be procured even for cash.

"All the vessels in this harbor have already been sent to the head of Elk."

As the financial affairs of the State were in a very embarrassed condition, and the treasury almost empty, the supply which was furnished by the merchants of Baltimore was thus acknowledged in a letter from Governor Lee to the committee, dated March 20th, 1781:

"We received your letter of the 18th, covering the engagement of the gentlemen of Baltimore, and an extract of a letter from Mr. McHenry of the 6th. We very much applaud the zeal and activity of the gentlemen of Baltimore, and think their readiness to assist the executive at a time when they were destitute of the means of providing those things which were immediately necessary for the detachment under the command of the Marquis de la Fayette, justly entitle them to the thanks of the public.

"We cannot but approve of the proceedings of those gentlemen, and assure you we will adopt any expedient to prevent any individual of that body from suffering or being in the least embarrassed by his engagements for the State.

"As soon as we are informed by the Committee of the amount of the sum advanced by their constituents, and the extent of their engagements to procure the numerous articles required for the use of the detachment, we will transmit orders on the collectors of Baltimore County, for such a sum as will cover the whole.

"We think it reasonable the State should pay the value of money advanced, and interest thereon until paid, and do agree to pay the value with interest, to those gentlemen who have made advances, and will give an order on the collectors of Baltimore for their reimbursement." [1]

[1] Purviance, p. 228.

To procure the aid and co-operation of Virginia in carrying out the measures proposed by Lafayette, Governor Lee, on the 7th of March, 1781, wrote to Governor Jefferson the following letter:

"The Marquis Fayette has requested this State to furnish armed vessels for the protection of the transports and troops under his command, and destined for the expedition against the enemy at Portsmouth. We have only been able to procure a brig of fourteen four-pounders and a schooner of eight three-pounders, and a sloop loaded and bound to sea, of ten three-pounders. From various accounts, we are apprehensive this force is inferior to the enemy's privateers in the bay. We have wrote to the commander of the ships of our ally at the Capes, and if he cannot spare one of his vessels to convey the Marquis, you will see the necessity of your State immediately procuring a force which, in conjunction with ours, would certainly be superior to the enemy's cruisers. The Marquis, with the troops, cannon and stores, are now at the head of Elk. We have impressed and sent to him every vessel at Baltimore and this place, and fear they will not be sufficient. The Marquis has requested us to procure boats to land the cannon and troops, which will not be in our power, but we hope you will obtain any number he may want. General Wayne, with a second detachment from the Pennsylvania Line, is soon expected at the head of Elk, and he is to join the Marquis as soon as vessels can be procured to transport him to Portsmouth; we have, therefore, thought proper to give you this information, and at the same time beg leave to suggest the propriety of your strengthening the convoy."

Lafayette, appreciating the temper and services of the State, addressed a letter to Washington, in which he said: "The State of Maryland have made to me every offer in their power. . . . . Mr. McHenry has been very active in accelerating the measures of his State."[1]

The State had, indeed, shown her zeal in the service, for by the patriotic exertions of her people she had nearly equipped his army and collected almost one hundred vessels to transport his detachment, stores, guns, baggage, etc., to Annapolis. At his request, Commodore James Nicholson was placed in command of the little squadron, with the privateer *Nesbit*, mounting twelve guns, as his flag-ship. Owing to the great number of small bay-craft that had been gathered, the troops embarked five miles below the head of Elk, and three miles higher up than the point where General Howe landed. By this means there was plenty of room to arrange the vessels, and the shallowness of the water insured the little fleet against the attacks of any large vessel. The embarkation effected, the fleet, under the convoy of Commodore Nicholson's privateer and two others, armed respectively with six and eight guns each, set sail down the river, and, crossing the Chesapeake, arrived safely in the harbor of Annapolis, on the 13th of March. Its arrival is announced by Governor Lee in the following letter, dated 15th March, to Governor Jefferson, of Virginia:

"The arrival of our express with your Excellency's letter of the 12th, this moment received, gives us an opportunity of informing you that all the transports with the troops from Elk got safe into Harbor [Annapolis] on Tuesday evening, March 13th. The next morning at daylight two ships, apparently British, of the rate of eighteen and twenty-eight guns, came to an anchor opposite to the mouth of our river Severn. At 12 o'clock

[1] *Revolutionary Correspondence*, iii., p. 255.

they made sail up the Bay, and by the last account were at anchor near the North Point of the river Patapsco. We judge that you would be anxious for the safety of the troops, but they are fortunately safe, and the armed vessels which convoyed them down are prepared for defence."

To settle his plans with the French admiral and to obtain an immediate convoy for his transports, Lafayette determined to run some personal risk by pushing down the bay in one of the State barges. Leaving his detachment in Annapolis, he took with him the only son of the Minister of the French Marine, and proceeded in a barge down the bay to confer with the French and American commanders. Arriving at Yorktown he found, to his surprise, that the French fleet had not yet appeared, though double the time necessary for the voyage had elapsed. Lafayette repaired to the camp of General Muhlenburg, near Suffolk, and reconnoitered with him the enemy's works at Portsmouth, which brought on a slight skirmish. Receiving information from Major McPherson in relation to the French fleet, which "put it out of doubt, that nothing could be undertaken for the present against Portsmouth, I sent pressing orders to Annapolis, in order to have everything in readiness, and even to move the troops by land to the head of Elk. . . . On my arrival at Annapolis, I found that our preparations were far from promising a speedy departure. The difficulty of getting wagons and horses is immense. There are not boats sufficient to cross over the ferries. The State were very desirous of keeping us as long as possible, as they were scared by the apparition of the *Hope*, of twenty guns, and the *Monk*, of eighteen guns, which blockaded the harbor, and which, as appeared from intercepted letters, were determined to oppose our movements. In these circumstances, I thought it better to continue my preparations for a journey by land, which I am told, would have lasted ten days on account of ferries; and, in the meanwhile, I had two eighteen pounders put on board a small sloop, which appeared ridiculous to some, but proved to be of great service."

"On the morning of the 6th of April, Commodore Nicholson went out with the sloop and another vessel full of men. Whether the sound of eighteen-pounders, or the fear of being boarded, operated upon the enemy, I am unable to say; but, after some manœuvres, they retreated so far as to render it prudent for us to sail for this place. Every vessel with troops and horses came here [head of Elk,] in the night with the commodore, to whom I am vastly indebted; and, having brought up the rear with the sloop and another vessel, I arrived this morning, April 8th, at Elk."[1]

Arriving at the head of Elk, Lafayette received full intelligence of the expedition of the French fleet to the Chesapeake. Sailing out of Newport on the 8th of March, Destouches, with one line-of-battle ship of eighty guns, two seventy-fours, four sixty-fours, one thirty-two, and the *Romulus* of forty-four guns, proceeded to the capes, where he was overtaken, on the 16th, by Admiral Arbuthnot with the British fleet, consisting of one line-of-battle

[1] Sparks, viii., p. 512. Stevens, *Expedition of Lafayette*, Maryland Historical Society, p. 33.

ship of ninety-eight guns, three of seventy-four, three of sixty-four, and one of fifty guns. An engagement took place about sixty miles off the Capes of Virginia, which lasted one hour. Both sides claimed a victory, but the British effected their object by getting possession of the Chesapeake and saving Arnold. The French being cut off from the bay, on the 17th, sailed for Newport, where they arrived on the 26th of March, after an absence of eighteen days.

Not anticipating a failure of the enterprise, the Chevalier de la Luzerne, the French Minister, in a letter to Governor Lee, dated Philadelphia, March 23d, 1781, after referring to the expected arrival of the French fleet, and the necessary preparations which Maryland should make to greater exertions to supply them with provisions, etc., says:

"Maryland has lately given a conspicuous proof of her attachment to the principles of the Confederation by acceding to it. She has made during the course of this war the most honorable exertions, and I can't doubt she will continue them in the course of the approaching campaign, they are the more necessary, as it is certain that the plan of the English is to form some establishment in the Chesapeake Bay to ruin its commerce and coasts."

On the 26th of March, General Phillips arrived at Portsmouth from New York, with a reinforcement of two thousand choice troops. He was instructed to relieve General Arnold and take command; and in case Lord Cornwallis should be successful in the Carolinas, he was to move up the Chesapeake with a large force to Baltimore; and to take post near the Susquehannah and on the Eastern Shore of the Chesapeake, where it was expected a large number of loyalists would join him. On the 10th of April, Sir Henry Clinton again wrote to General Phillips:

"The security of the Carolinas is of the greatest moment, but the best consequences may be expected from an operation up the Chesapeake. Let the same experiment be tried there, which has hitherto been so unsuccessful at the South. Virginia has been looked upon as universally hostile; Maryland less so, *but has not been tried;* but in Pennsylvania, on both sides of the Susquehanna, and between the Chesapeake and Delaware, the friends of the King's interests are said to be numerous. Support should be rendered to them, and means of proving their fidelity put into their hands. If Cornwallis can spare such part of his forces as to effect this movement, it is greatly to be desired."

On the same day, Lord Cornwallis wrote to Sir Henry Clinton: "I cannot help expressing my wishes that the Chesapeake may become the seat of war, even, if necessary, at the expense of abandoning New York."[1]

In view of this threatened invasion, the government and people of the State immediately concentrated all their energies to resist the invaders. On the 5th of April, the inhabitants of Baltimore assembled in town meeting at the court-house, and took into consideration the security of the town. A committee composed of Isaac Griest, Robert Henderson, Thomas Johnson, James McHenry, Nathaniel Smith, Nicholas Rogers and William Smith, were appointed with full power to devise and direct any plan for the security and

[1] Sparks, vii., p. 458.

defence of the town, as the circumstances and abilities of Baltimore would permit. The legislature, previous to its adjournment, had passed "an Act to embody a number of select militia, and for immediately putting the State in a proper posture of defence." By this law 1,200 militia on the Western, and 800 on the Eastern Shore, were to be selected, armed and disciplined. They were to consist of volunteers, enlisting to serve until the 10th of December, 1781; to be exercised twice a week, and subject to the call of the governor. For every day's exercise or service they were to receive three shillings and nine-pence. Five gentlemen on the Eastern Shore were constituted a special council with the power and authority of the governor, at the time the State was invaded or "imminently threatened." And "to procure recruits" to serve for three years or the war, an additional Act was passed for raising 1,000 men. The property in the State was divided into classes of £16,000, each of which was to furnish within twenty days one recruit who was to be "either a freeman or a slave." If each class failed to procure one according to the Act, there was to be a draft five days after the expiration of the time mentioned, and the person so drawn was to serve until the 10th of December, 1781. He was entitled, however, to his discharge upon furnishing a substitute. Upon the re-assembling of the legislature on the 10th of May, an Act was passed "to procure an immediate supply of clothing and fresh provision for the troops, and a sufficient number of horses for light-horse and for carriage." And as the enemy were continuing their depredations on the waters of the Chesapeake, another Act was passed "for the defence of the bay." By this law the governor was empowered to purchase a galley in Baltimore, and also to have one built; both of which were to be completely fitted and manned. He was further authorized to procure, fit out and man, any number of barges not exceeding eight; and for these purposes the legislature appropriated £26,666 of new money about to be issued.

On the 5th of April, Washington, in a letter to Lafayette, expressed his regret that he "had gone out of the Elk," but at the same time, with his usual generosity, acknowledged "that the move to Annapolis was certainly judicious." In this letter he recalled the detachment to Philadelphia. On the 8th, he countermanded the order of recall, and ordered him southward to reinforce General Greene. And, on the 11th, he says: "While I give you credit for the manœuvre by which you removed the British ships from before Annapolis, I am sorry, as matters are circumstanced, that you have put yourself so much further from the point, which now of necessity becomes the object of your destination."

On the same day, (April 8th), Lafayette received the following from Governor Lee:

"We have just received information from Colonel Beall, Lieutenant of Prince George's County, that six of the enemy's ships have burnt Colonel Barnes' house on St. Mary's River, and plundered him of all his property; and have burnt Priest Hunter's house at the mouth of Port Tobacco Creek, and are proceeding up Patomack River to Alexandria,

with an intention to destroy that town and plunder the inhabitants on the river. The ships that laid off this city, returned this morning with a brig and a small schooner, and stood up the Bay till they got above the mouth of the harbor, and then tacked and stood down. Many concurring accounts lately received induce us to believe that General Philips, with not less than two thousand men, has arrived at Portsmouth. From these facts we think we are justified in concluding that the enemy have in contemplation the effecting of a junction with Cornwallis; which, if accomplished, must terminate in the destruction or dispersion of the Southern army if not strongly and timely reinforced, the plundering, harrassing and distressing the people on the shores, the destroying our Town, and military stores, and getting possession of the provisions that have been collected for our army. The military stores and provisions at this place and Baltimore Town, must be a capital object, and as we have the strongest reasons to think as soon as they have perpetrated their designs in Potomac, if not before, they will visit this city and Baltimore. Under these circumstances we beg leave to submit to your consideration the propriety of detaining the detachment under your command in this State and marching such part as you may deem necessary, to our assistance in Baltimore Town and in this city."

In response to this letter, Lafayette wrote:

"*Elk, April 10, 1781.*

"*Sir:*—I have received your Excellency's favor of the 8th instant, and most sincerely lament the depredations committed by the enemy. This cruel and savage way of making war is the more exasperating, as it is out of our power either to punish or prevent these devastations. Every town lying on the bay or the rivers is so defenceless and exposed, that each of them requires a force to defend it superior to what the enemy will send for its reduction. So far as relates to armed vessels and privateers, I should think that militia could be collected to oppose the landing of a few sailors. As to the movements of the British troops, they are so rapid, and it is so impossible to defend both shores of every river, that with the least judgment they may elude our opposition.

"I have made preparations for an immediate movement, and if no obstacles occur shall march to-morrow with the whole detachment. The new latitude added to my instructions gives me the liberty of doing what I could not even think of when at Annapolis. The same zeal I had to execute my first orders will prompt me to advance rapidly into the Southern States. However inadequate I am to the defence of Annapolis, Baltimore and Alexandria at once, I will hasten to the point that will be nearest to those three places. I request your Excellency to furnish me speedy, minute, and frequent intelligence.

"It will be necessary that a collection of wagons and horses be made at Baltimore, in order to relieve those which we take from this place. I beg leave to request your Excellency will please to order that a quantity of live cattle and flour be also collected at that place; the rapidity of our movements wholly depends upon the precautions that will be taken for our transportation and subsistence. I hope, sir, that precautions will be taken for the safety of our stores now at or near Indian Landing. General Smallwood will certainly dispose of them in the best manner, but I request you will acquaint him that if I proceed southward, I will want the musket cartridges.

"When I was coming up the bay, two men came on board my vessel, which then was full of my troops, and a part of the fleet and detachment under my command. Having been induced to mistake us for British, they gave us every intelligence in their power; offered to guide us to several places on the shore, and in telling us they had been on board the *Hope*, and had supplied the enemy with provisions, offered to pilot us to a place where they had a sloop loaded with flour, and ready to slip off to Portsmouth. One of them went with Major McPherson, whom they took, as well as every one of us, to be British spies; the other was put in irons immediately after the departure of his

comrade in a barge with my aide-de-camp. As soon as Major McPherson arrives I will have both of them tried and executed, as they come within the description of spies, giving intelligence to the enemy, and going to them for imparting the remarks they have made among us, with an offer to guide them to attack our people in consequence of the intelligence which they have collected among us for that purpose. Maj. McPherson being gone with the spy and six soldiers (supposed by that man to be British), I have not yet heard from them. They were to land in Gunpowder Creek, and I request your Excellency will please to send there, as I am uneasy on that matter, and I am afraid something has happened to McPherson."

While the enemy's smaller vessels were carrying on this system of plunder and devastation in the rivers emptying into the Chesapeake, and on the bay shores, Lafayette prepared to execute his orders. The tide of war having been transferred by the enemy to the South, "the Eastern and Middle States in particular," says Mr. Sparks, "relapsed into a state of comparative inactivity and indifference." As soon as it was made known that the force under Lafayette was intended to operate in the South, a spirit of disaffection began to spread among the men. They had received, most willingly, the help of the southern troops when the war was at their own doors; but when it left them in safety, and menaced the homes of their associates, they began to view the matter in a new light. Thirteen out of one company deserted in one day; and many of the officers assured Lafayette that his force would soon be reduced one-half. In a letter, dated April 17, 1781, to Washington, he writes:

"My first object was to get the troops this (south) side of the Susquehanna, and request the militia officers to pick up deserters and send them to me immediately. I then made an address to the detachment, which, enforced by the difficulty of crossing the river, and the shame I endeavored to throw on desertion, has almost entirely stopped it. The men are now on the other side of the Ridge [Elkridge] Ferry, which is a new barrier: two deserters have been taken up, one of them *I will have hanged to-morrow*, and the other, as well as another soldier who behaved amiss, will be disgraced, so far as to be dismissed from their corps."[1]

When these troops were first detached to go south, the utmost secrecy prevailed as to their destination, and when they hurried off from the main army under Washington, they were under the impression that they were going on a special expedition for a particular object, and would return in a few days. But as soon as the orders to join Washington were countermanded and a retrograde movement commenced, murmurs arose, and a mutinous spirit was exhibited. To such an extent did this prevail, that afterwards, when the Pennsylvania line (which had revolted in Pennsylvania and obliged the government to acquiesce), was ordered to the South, Lafayette feared the result of their association with his already discontented troops. General Greene, in a letter to him observes: "From what had passed between the Jersey soldiers and those of New England, I foresee some inconvenience to join them to the Pennsylvanians—the more so as the last, because they have revolted, are well clad and well paid."

[1] Johnson, ii., p. 50.

The troops from the north never went further south than Yorktown, during the whole war, though we have seen that the Maryland troops fought under officers from other States, from Boston to Savannah.[1] Sparks, in his *Life of Washington*, describing the army, as under marching orders for Virginia, writes thus: "The soldiers being mostly from the eastern and middle States, marched with reluctance to the southward, and showed strong symptoms of discontent when they passed through Philadelphia. This had been foreseen by General Washington, and he urged the superintendent of finance *to advance them a month's pay in hard money.*"

As the command of the Chesapeake by the British rendered it hazardous again to attempt the passage to Annapolis, four days after his arrival at the head of Elk, Lafayette began his march for Virginia. Moving up the east side of the bay, he crossed the Susquehannah, on the 13th, and on the following day arrived in Baltimore. Immediatly upon his arrival, to conciliate his troops and to supply their wants, Lafayette determined again to apply to the merchants of Baltimore for assistance. At this critical moment, the credit of congress was so low that nothing could be obtained on its promises, and the army was in want of almost everything necessary to its comfort. The generous spirit of Lafayette triumphed over these difficulties. Pledging his private fortune for the re-payment, he borrowed ten thousand dollars from the merchants, with which to purchase shoes, linen, spirits and other articles of immediate necessity for his detachment. He gave his simple obligation, and among others, the following merchants contributed the amount set opposite their names:

Jacob Hart	$276 14	James Calhoun	$272 52
Richard Carson	234 06¼	James McHenry	110 76¼
Nathaniel Smith	93 56¼	John Sterrett	250 16¼
Nicholas Rogers	102 89	Charles Carroll	124 76
Ridgely and Pringle	234 06¼	John Smith, Jr.	351 10
Stephen Stewart	379 18	William Smith	468 13
William Neill	411 87	Alex. Donaldson	117 03¼
Daniel Bowley	234 06¼	Stewart and Salmon	468 13
Hugh Young	458 70	William Patterson	468 13
Samuel & R. Purviance	468 13	John McLure	468 13
Russell and Hughes	236 06¼	Thomas Russell	210 60
Russell and Gilman	117 03¼	Samuel Hughes	702 20¼

[1] On June 27, 1781, the legislature passed the following resolutions:

"*Resolved*, That the president and speaker inform the honorable congress that this State, having furnished a full proportion of men and money to carry on the present war, and its officers having distinguished themselves in the service equal to any in the Continental line, the General Assembly think the State has a just claim to a number of general officers, holding a proper rank in the line, to command its troops.

"That this State has frequently applied to congress on this subject, and in particular by a letter written by order of the assembly to the president of congress, dated the 15th of May, 1780, without obtaining their reasonable request.

"That the promotion of Major General Smallwood was, from causes unknown to this State, so long delayed that this gentleman, in whose abilities the State and its troops have the greatest confidence, is among the youngest major-generals in the service, and must submit the command of the troops of this State to others, wherever they are joined to any other division

Mr. James McHenry, in a letter to General Greene, dated Baltimore, April 16th, 1781, thus refers to the patriotic action of Lafayette and the merchants of Baltimore:

"While I admire your policy, I have more than once pitied the Marquis' situation. His troops passed here yesterday, *discontented almost to general desertion;* destitute of shirts, and proper equipments, and in most respects, unprovided for a march. You know the Marquis. He has been with us two days; but, in this time, he adopted an expedient to conciliate them to a degree which no one but himself would have thought of. To-day he signs a contract, binding himself to certain merchants of this place, for above two thousand guineas, to be disposed of in shirts, overalls and hats, for the detachment. Without these the army could not proceed; and with these, he has managed to reconcile them to the service. He is also bent upon trying the power of novelty on their minds by giving to the march the air of a frolic. His troops will ride in wagons and carts from Elkridge Landing to the limits of this State, and how much further he will continue this mode of movement depends on Virginia."

In a letter from Lafayette to General Greene, on the same subject, he observes:

"As our brave and excellent men (for this detachment is exceedingly good) are shockingly destitute of linen, I have borrowed from the merchants of Baltimore a sum on my credit, which will amount to about two thousand pounds, and will procure a few hats, some shoes, some blankets, and a pair of linen overalls, to each man. I hope to set the Baltimore ladies at work for the shirts, which will be sent after me, and the overalls will be made by our tailors. I will use my influence to have the money added to the loan which the French court have made to the United States, and in case I cannot succeed, bind myself to the merchants for payment, with interest, in two years; McHenry, now president of the Baltimore board of war, has given me very important aid to bring about this arrangement."

On the following day, the 18th, he addressed a letter to Washington, in which he said:

"The merchants of Baltimore have lent me a sum of about two thousand pounds, which will procure some shirts, linen overalls, shoes, and a few hats. The ladies will make up the shirts, and the overalls will be made by the detachment, so that our soldiers have a chance of being a little more comfortable. The money is lent upon my credit, and I become security for payment in two years' time, when, by the French laws, I may better dispose of my estate. But before that time I am to use my influence with the French court in order to have, as soon as possible, this sum of money added to any loan that congress will have been able to obtain from them."

Alluding to this generous act of Lafayette, Washington said, in reply:

"The measures you had taken to obtain, on your own credit, a supply of clothing and necessaries for the detachment, must entitle you to all their gratitude and affection; and will, at the same time that it endears your name, if possible, still more to this country, be an everlasting monument of your ardent zeal and attachment to its cause, and the establishment of its independence. For my own part, my dear Marquis, although I stood in need of no new proofs of your exertions and sacrifices in the cause of America, I will

of the Continental army, or wherever any other major-general is present.

"That the General Assembly are induced, by the duty they owe the State, and a due sense of General Smallwood's merit, to solicit the attention of congress to this subject, and to request they will take such measures as are necessary to have justice done to the State and its officers."

confess to you that I shall not be able to express the pleasing sensations I have experienced at your unparalleled and repeated instances of generosity and zeal for the service on every occasion. Suffer me only to pursue you with my sincerest wishes, that your success and glory may always be equal to your merits." [1]

On the 24th of May, congress passed the following resolution:

"*Resolved*, That congress entertain a just sense of the patriotic and timely exertions of the merchants of Baltimore, who so generously supplied the Marquis de Lafayette with about two thousand guineas, to enable him to forward the detachment under his command.

"That the Marquis de Lafayette be assured that congress will take proper measures to discharge the engagements he entered into with the merchants."

Shortly afterwards, when Lafayette asked permission to return to France, congress directed "the superintendent of finance" to take order for discharging the engagement entered into by the Marquis de Lafayette with the merchants of Baltimore, referred to in the Act of the 24th of May last. As Lafayette gave "the march the air of a frolic," a ball was given in his honor at the assembly room, then at the northeast corner of Holliday and Fayette streets, in Baltimore, under the patronage of the most distinguished ladies and gentlemen of the town. It is stated that during the evening one of the ladies, observing that Lafayette appeared sad, inquired the cause. "I cannot enjoy the gaiety of the scene," he replied, "while so many of the poor soldiers are in want of clothes." "We will supply them," was the prompt and patriotic response. The next morning the ball-room was turned into a clothing manufactory. Fathers and husbands furnished the materials; daughters and wives plied the needle at their grateful task. Such were the women of Baltimore during the Revolution.[2]

ASSEMBLY ROOM.

In grateful remembrance of this event, Lafayette, shortly after his departure from the city, sent the following letter to the committee of merchants:

"*Mr. Lyon's Plantation, 20 miles from Williamsburg,*
"*July the 3d, 1781.*

"GENTLEMEN:—By Major McHenry, you will receive some papers that relate to the affair in which you have so kindly assisted me, but I claim the pleasure personally to

[1] Sparks, i., p. 364. Johnson's *Life of Greene*, ii., p. 49. *Revolutionary Correspondence*, iv., p. 453.

[2] During Lafayette's visit to Baltimore, in October, 1824, while attending a magnificent ball, given in his honor, at the Holliday-street Theatre, after being introduced to a number of surviving officers and soldiers of the Revolution, he observed to one of the gentlemen near: "I have not seen among these my friendly and patriotic commissary, Mr. David Poe, who resided in Baltimore when I was here, and out of his own very limited means supplied me with five hundred dollars to aid in clothing my troops, and whose wife, with her own hands, cut out five hundred pairs of pantaloons, and superintended the making of them for the use of my men." The general was informed that Mr. Poe was dead, but that his widow was still living. He expressed an anxious wish to see her. The good old lady heard the intelligence with tears of joy, and the next day visited the general, by whom she was received most affectionately; he spoke in grateful terms of the friendly assistance he had received from her and her husband. "Your husband," said he, laying his hand on his heart, "was my friend, and the aid I received from you both was greatly beneficial to me and my troops." The effect of such an interview as this may be imagined, but cannot be described.

express my obligations to you, and beg you to be convinced that you have excited the most grateful and everlasting sentiments in my heart. Permit me to request that my respectful thanks may be presented to the ladies of Baltimore—I am proud of my obligations to them—not only from a general respect to the fair sex, but more particularly because I know the accomplishments of those to whom I am indebted. I am happy in the ties of gratitude that bind me to them, and beg leave once more to assure you of the regard and attachment I have the honor to bear.

"Your most obedient, humble servant,

"LA FAYETTE."

And on his return to the city, on the 5th of November, after the surrender of Cornwallis, at Yorktown, in answer to an address from the merchants, he said:

"In the affectionate attentions of the citizens of a free town, I would find a reward for the services of a whole life. The honor to have been among the first American soldiers, is for me a source of the greatest happiness. I participate with you in the glorious events that have taken place under his Excellency General Washington's immediate command, and under General Greene. I enjoy the effects these will have on the success of our noble cause, and particularly the advantages which they will afford to this State. The time when I had the honor to command the army in Virginia, which you are pleased so politely to mention, has only shown that the courage and fortitude of American troops are superior to every kind of difficulty. My campaign began with a personal obligation to the inhabitants of Baltimore; at the end of it I find myself bound to them by a new tie of everlasting gratitude."

The assistance rendered to Lafayette by the citizens of Baltimore restored tranquillity and discipline to his command. Every cart and wagon that could be procured being put in requisition, the troops who had been encamped near Elkridge Landing, on the 19th of April, took up their line of march for Virginia. They crossed the Patapsco River at Elkridge,[1] and by leaving the baggage and artillery to follow on, they arrived with the help of wagons and horses, at Alexandria, on the 21st. After purchasing some shoes in the town, they pursued their journey through Fredericksburg, and arrived at Richmond on the 29th, where the detachment was joined by the continental troops under Baron Steuben and General Muhlenberg, and the Virginia militia, commanded by General Nelson.

General Phillips had hitherto remained quiet, but on the 16th of April, he left Portsmouth with a large force, and proceeding up James River, destroyed a large amount of public property. Landing at Petersburg, he captured that place, and crossing the bridge over the Appomattox, proceeded to Chesterfield Court-House where he destroyed the barracks and a large quantity of public stores, while Arnold with a detachment destroyed large stores of tobacco in the direction of Warwick. Pursuing this destructive course, the enemy arrived at Manchester, and immediately burned the tobacco warehouses. But for Lafayette's arrival in time, Richmond, where a great part of the military stores of the State had been collected, would have fallen into the hands of the enemy.

[1] By crowding too many men into the ferry-boat in one of its trips across the ferry, the boat sank, and drowned nine soldiers.

General Phillips then returned down the south side of the James to Burmuda Hundred, where he re-embarked his forces on the 2d of May, and dropped slowly down the river below the confluence of the Chickahominy. He was sinking under a malarial fever contracted during this expedition, of which he died on the 13th, leaving Arnold in command. Cornwallis, who had moved from Wilmington on the 25th of April, proceeded toward Halifax, crossed the Roanoke, entered Petersburg on the 20th of May, and took command of all the British forces.

In the meanwhile, congress, fearing an invasion of the Eastern Shore, had ordered the State to remove all the public stores, cattle, provisions and forage collected or stored on the peninsula, between the Delaware and Chesapeake Bays. The legislature, which was in session at the time, regarding this as a reflection upon the patriotism of the State, which did not intend to surrender any portion of its territory without resistance, requested the governor to express their feelings and disposition to congress. Samuel Huntington, the president of that body, in a letter to Matthew Tilghman, dated April 27th, wrote that he was directed to inform the legislature "that it was by no means their intention in the recommendation, much less to preclude the idea of resistance." And after expressing his fears of an invasion of the State by the way of New Castle, he adds:

"Your determination to exert yourselves to the utmost for your defence, and your confidence in the bravery and affection of your citizens, afford congress the highest satisfaction; and they persuade themselves that a reconsideration of the steps taken for removing from the reach of the invaders, the superfluous provisions and forage, will convince you that they can have no possible tendency to discourage so laudable a spirit, or to impede the efforts which may be expected from it."

Lord Cornwallis, for the purpose of bringing the enemy to action, immediately put his troops in motion on the 24th of May, and passing the James at Westover, attempted to get in the rear of Lafayette. Lafayette was in no condition to risk an engagement. Removing all the military stores from Richmond, he retreated toward Fredericksburg with the view of joining the Pennsylvania line, which had been ordered to the south by Washington nearly three months before, and which from various causes had been delayed. Continuing his retreat, Lafayette crossed the Rapidan, where he was joined on the 7th of June, by General Wayne, who had passed through Frederick on the 31st of May, with about one thousand troops to join him. Lord Cornwallis having been reinforced by troops from New York, started in pursuit and advanced as far as Hanover Court House, and then crossed South Anna, but finding that he could not overtake Lafayette, he sent out two detachments, one under Tarleton to break up the Virginia Assembly, at Charlottesville, the other to the Point of Fork,

LORD CORNWALLIS.

to destroy some stores under the charge of Steuben. He awaited the return of both of these expeditions on the James, just below Byrd Creek. Both of them returned a few days afterwards without having accomplished their objects.[1]

The retreat of Lafayette towards Maryland, excited the greatest apprehensions of an invasion, and preparations for immediate defence were made. On the 30th of May, the governor and council wrote to the Maryland delegates in congress as follows:

"The extraordinary exertions made by this State on every occasion in complying with the demands of congress, the Marquis's detachment, the southern army, our militia and other expenditures have altogether exhausted our treasury and stores of arms and clothing, so that it is not in our power to furnish the troops that are here with clothing, arms, &c., nor properly equip our militia to repel the enemy. Under these distressing circumstances we request you to make known our wants to congress in the most earnest manner and endeavor to obtain a proportion of all clothing, arms, &c., that congress now or may hereafter have for this State. We do not think that the rampart pieces will be of great use to us, however, we will take five hundred of them for our galleys, and with pleasure receive the two field-pieces and as many more as can be spared to us in great necessity for them."

And on the following day, they issued the following circular letter to the lieutenants of the several counties:

"From the intelligence we have received of the rapid movements of the enemy in Virginia, we have reason to apprehend an invasion of this State; and it will be necessary that every precaution be taken preparative for our defence. We therefore request you to order the militia in your county to hold themselves in perfect readiness to march at a moment's warning, to such place as may be thought necessary, and to have all the arms in your county proper for defence, immediately repaired and put in the best condition, cartridges made and everything ready to take the field."

The utmost exertions of the government and people were now called into play. Among other measures adopted, Baltimore was placed in a complete state of defence, and arms and ammunition were distributed to all the male inhabitants capable of bearing arms, and a code of signals was adopted for assembling the militia. Generals Smallwood and Gist were called upon to embody the militia and march with them to reinforce Lafayette. On the 4th of June, the Lieutenant of Frederick County was ordered immediately to arm and equip five hundred militia; the Lieutenant of Montgomery, two hundred and fifty, and Prince George's two hundred and fifty, and march with them to Georgetown, where they were to remain until further orders. The troops of horse in Frederick, Baltimore, and Kent Counties, received similar orders. General Gist was indefatigable in his exertions to raise a respectable force of cavalry and infantry. The people zealously seconded his efforts, for the

[1] Colonel Samuel Smith, in a letter to Colonel O. H. Williams, dated June, 1781, says: "Cornwallis's troops rid thro'" Virginia "without opposition. The gentlemen have all fled beyond the mountains with a small remains of property, and the poor have no arms to defend themselves. Oh! Virginia, is this your boasted pride? Perhaps, now eased of their riches, and deprived of their slaves, they may become useful members of society."—Hamilton's *History of the Republic*, ii., p. 255.

militia came pouring in from all sections of the State. A fine body of cavalry was speedily raised and mounted; and a considerable number of infantry also embodied. A large mass of the troops lacked proper equipments; but so urgent was the necessity that they were called into service often without arms and ammunition, trusting to be supplied at the point of active operations. Such was the alacrity showed by the people, that two new regiments were formed in a few days, the third under Lieutenant Colonel Peter Adams, and the fourth under Lieutenant Colonel Thomas Woolford. A troop of "Baltimore Light Dragoons," composed of the most substantial merchants of the town, commanded by Captain Nicholas Ruxton Moore, marched for Virginia on the 14th, and arrived at Georgetown on the 17th. With the "Frederick Light Dragoons" they crossed the Potomac on the 18th, and joined Lafayette on the 6th of July.

Having been joined by the troops of Maryland and the Pennsylvania line, under Wayne, Lafayette boldly turned upon the enemy. He lost no time in re-crossing the Rapidan, and hastened, by forced marches, towards Richmond, Cornwallis rapidly falling back before him. On the 15th of June, the British commander, without making a single effort to strike the pursuing enemy, reached Westham, and on the next day entered Richmond.

A few days later he resumed his march, and arrived at Williamsburg on the 25th. Leaving that city on the 4th of July, he crossed the James, and soon after entered Portsmouth.

On the 6th of July, Lafayette, while in camp at Jamestown, was joined by Morgan, with a force of Virginia militia, cavalry and infantry. As Morgan had been invested with the command of all the light troops and the cavalry, Lafayette, on the 16th of July, placed under his command Governor Nelson's corps of Virginia cavalry and the Maryland dragoons. The command was conferred upon him through the following letter:

"*Richmond, July 16th, 1781.*

"DEAR SIR:—I have attached to your command Major Nelson's corps, and the Maryland volunteer dragoons. I beg leave to recommend the latter to your attention. Most of them are men of fortune, who make great sacrifices to serve their country. You will not, therefore, put them upon the duties of orderlies, or common camp duties, which can be as well performed by the Continental Horse. In everything else you will find them answer your expectations. As they are only to be subject to your orders, when you have accomplished the objects mentioned in my letter of yesterday, or when it is decided that Tarleton intends southerly and is beyond the reach of being struck, you will be good enough to order their return to head-quarters. It is my wish to dismiss them the moment it is in my power."

Soon after Cornwallis crossed the James, Lafayette, with the main body of his army, retired, first to the forks of the York River, and afterwards to Richmond. Wayne, with his Pennsylvania troops, and Morgan, with the Maryland dragoons and Virginia militia, were detached across James River, to Goode's Bridge. While stationed here, Tarleton, with a large mounted force, was despatched to New London, in Bedford county, to destroy a large

quantity of military stores, which were reported to have been collected there. The Maryland dragoons, with Morgan's force, were sent to intercept the enemy, but he escaped, and arrived at Suffolk without molestation, on the 24th.[1]

The movements of Washington in the vicinity of New York induced Sir Henry Clinton to order Cornwallis to send him some of his troops for protection. Immediately after Cornwallis reached Portsmouth, he proceeded with diligence to embark the troops destined for New York, and in a few days letters came from Lafayette, dated 26th and 30th of July, speaking of the embarkation of the greatest part of the enemy's army. "There are in Hampton Roads thirty transport ships full of troops, most of them red-coats, and eight or ten brigs with cavalry on board." Governor Lee, supposing that this movement of the enemy was intended against Baltimore, took the necessary measures to meet them. On the 4th of August, he addressed the following letter to General Andrew Buchanan, the lieutenant of Baltimore County:

"From information just received from the Marquis and Dr. McHenry, we are no longer in doubt of the designs of the enemy. They are certainly destined for Baltimore Town or the head of the Bay. The former is the most probable. This is the day of trial; now must the State of Maryland exert herself, and prove she is worthy of the inestimable blessings we are contending for; that love of country and disinterestedness which predominated in every breast at the beginning of this war, will revive and shine forth with the most splendid lustre; now will a virtuous emulation prompt us to achieve feats of the most distinguished valor. We confide in your skill and activity, and are convinced every disposition will be made to put the town and county in a proper state of resistance. We have directed the lieutenant of Frederick county to order his troop of horse and all their select militia to your assistance, and have enclosed commissions for troops. All the public stores must be immediately moved out of Town to places of security in the county, and the inhabitants of the Town must move out all their goods and valuable property. The Marquis with his army is moving this way. The extracts herewith transmitted will give you all the intelligence received. The lieutenant of Harford has directions to order the militia of that county to be in readiness to march when ordered. In sending succor from this post, we must be governed by the movements of the enemy, and you may be assured we shall do everything possible for your support."

At the same time he transmitted the following to the President of Congress:

"The enclosed copies of letters this moment received from the Marquis de la Fayette and Dr. McHenry, communicate the designs and movements of the enemy. The State is making every exertion to collect such a force as with the regulars, now amounting to about six hundred under a skillful and experienced officer, will enable us to confine them within very narrow limits. Our people are resolute and determined; they feel that animating and noble spirit which diffused itself through all ranks at the commencement of this glorious contest. The approach of the enemy has apparently banished every

[1] About the time Lafayette was encamped near the Rapidan, a large party of tories, in Hardy County, Virginia, raised the British standard. Morgan gathered a force of militia, and suppressed what is called "Claypool's Rebellion." Shortly afterwards, intelligence was received that Tarleton was on his way to Winchester to liberate the British prisoners, who, to the number of several hundred, were then confined in the place. By order of Lafayette, they were removed, without delay, to Fort Frederick, in Maryland, and placed in charge of Colonel Moses Rawlings, deputy commissary-general of prisoners.

sordid, avaricious and selfish view; and we trust our people will act like men, sensible of the blessings they are struggling for and the miseries, which, by an abject and dastardly conduct, they most deservedly will feel. If our militia could be well armed and accoutred, they would acquire a confidence which would stimulate them to a conduct which would not disgrace regulars; and on congress we rely for that aid, and most earnestly solicit your Excellency to supply us immediately with what can be spared and forward them. The field pieces intended for us would be very serviceable. Congress has not often been troubled with applications from this State, and we flatter ourselves the exertions of our people upon all occasions, merit every assistance that can be afforded, especially at this crisis. We have taken every possible precaution to prevent the stores, provisions, and valuable property belonging to the Continent and State falling into their hands."

The governor and council also requested the lieutenants of St. Mary's and Calvert counties to station trusty persons "upon such points as command the most extensive view of the bay, to give information of the approach of the enemy, which you will be so obliging as to communicate to this board by express immediately on receipt of it." At the same time the militia of the State were ordered to rendezvous in Annapolis and Baltimore.

The spirit which animated the people at this crisis was intense. The militia in all portions of the State immediately obeyed the summons, and in forty-eight hours, an army of two thousand eight hundred effective men assembled in Baltimore.[1]

The embarkation at Portsmouth, which the governor had supposed was intended for Baltimore, was in reality destined for Yorktown, where Cornwallis, by the advice of Clinton, had determined to establish a permanent post. This intelligence was communicated on the 6th of August, by Governor Lee, to Colonel Samuel Smith, who was in command in Baltimore, and on its receipt, the militia were discharged.

While the military events just detailed were in progress, Washington, whose headquarters were in the neighborhood of Dobbs' Ferry, was planning his campaign against Cornwallis. While stationed there, on the 10th of July, he wrote to Governor Lee as follows:

"I have honor to acknowledge the receipt of your Excellency's favor of the 29th June. It is with very great satisfaction I observe the proceedings of the General Assembly of your State, which you have been pleased to communicate to me, the exertions of that Legislature have heretofore been laudable, and I am exceedingly glad to see the same

[1] The Baltimore (Maryland) *Journal* of August 14, says: "The recent movements of Earl Cornwallis, giving reason to apprehend that he meant to visit this State, and probably this town, the militia of this county and those adjacent assembled with the greatest cheerfulness, spirit and alacrity; and we are assured, by good authority, that, within two days after the late alarm, near 2,800 effective men, of this county only, appeared in arms in town, and were reviewed by General Buchanan, our county lieutenant."

The General Assembly, on the 29th of June, 1777, selected the following persons as county lieutenants: St. Mary's, Richard Barnes; Kent, Dr. William Bordley; Anne Arundel, James Brice; Calvert, Benjamin Mackall, 4th; Charles, Francis Ware; Somerset, George Dashiell; Dorchester, Henry Hooper; Baltimore County, Andrew Buchanan; Cecil, Charles Rumsey; Prince George's, Luke Marbury; Talbot, Christopher Birkhead; Queen Anne's, William Hemsley; Worcester, Joseph Dashiell; Frederick, Charles Beatty; Harford, Aquila Hall; Caroline, William Whitely; Washington, Daniel Hughes; Montgomery, Charles Greenbury Griffith.

spirit still prevailing. For my own part, I have not a doubt but that if the States were to exert themselves with that spirit and vigor which might reasonably be expected at this favorable period, they might not only drive from the continent the remains of the British force now among us, but obtain to themselves their independence with the enjoyment of peace, liberty and happiness to their numerous inhabitants; an event which you will be assured I most ardently wish."

Assured of the co-operation of Count de Grasse and the French fleet, Washington prepared to move his army and the French troops under Count Rochambeau to the Chesapeake. Perfect secrecy was maintained in his camp; and preparations were still carried on as if he intended to attack New York. On the 19th of August, he made a feint against New York, and then facing about, marched his troops, by the Hudson River road, toward King's Ferry. Rochambeau, at the same time, broke up his camp and took the road by White Plains, North Castle, Pine's Bridge and Compound, toward the same point. On the 21st, the army under Washington crossed to Stony Point, and was followed by the French on the 22d and 25th. On the 21st, Washington wrote confidentially to Lafayette, apprising him of his march, and instructing him to dispose his combined forces so that the enemy might not escape. On the 17th, presuming that a letter would reach Count de Grasse in the Chesapeake, he wrote him "that it will be very essential to the despatch of the business in contemplation, for you to send up the Elk River, at the head of the Chesapeake Bay, all your frigates, transports and vessels proper for the conveyance of the French and American troops down the bay. We shall endeavor to have as many as can be found in Baltimore and other ports secured; but we have reason to believe they will be very few." He wrote to the same effect, on the same day, to the superintendent of finance. The two armies, having safely crossed the Hudson, took, on the 25th, their respective lines of march towards the Jerseys; the Americans for Springfield, on the Rahway, the French for Whippary, towards Trenton. Washington arrived at Chatham on the 27th, and again wrote to Robert Morris, the superintendent of finance:

"I shall be obliged to you for using your influence with the gentlemen of Baltimore, to permit any vessels that may be in that port to come up to Elk and assist us in transportation. I have little doubt, from the cheerfulness with which they furnished the Marquis last winter, that they will comply with your requisition on the present occasion. But lest there should be a necessity for the interference of the executive of the State, I have written to Governor Lee upon that and other matters. I enclose the letter under a flying seal for your information, and you will be good enough to forward it by a chain of expresses, which is established. Any vessels, which may be procured in the Chesapeake, should rendezvous, as soon as possible, in Elk River."[1]

Robert Morris replied on the 28th:

"I directed the Commissary General, immediately on my return from camp, to cause the deposit of three hundred barrels of flour, three hundred barrels of salt meat, and twelve hogsheads of rum, to be made at the Head of Elk, and pointed out the means of obtain-

[1] Sparks, viii., p. 148.

ing them.[1] For this purpose he sent down a Deputy some days since, and I expect all will be ready there. I have written to the Quartermaster of Delaware and Maryland, Mr. Donaldson Yates, to exert himself in procuring the craft. I am much more apprehensive on the score of craft in Delaware and Chesapeake. I have written to the Governor and several of the most eminent merchants in Baltimore, to extend their assistance and influence in expediting this business. Forseeing the necessity of supplies from Maryland and Delaware, I have written in the most positive terms to the Governors and agents to have the specific supplies required of them by Congress in readiness for delivery to my order."[2]

The governor and council in response to the request of Washington, on the 30th of August, issued the following circular letter to the commissaries of the several counties:

"A detachment from the main army with the French troops, to the number of 7,000 men, will be at the head of Elk in eight days on their way to Virginia, to act against Lord Cornwallis. General Washington has wrote us very pressingly for an immediate and large supply of fresh provisions, we therefore direct you to procure by purchase beef cattle, preferring those parts of your county which are most exposed to the ravages of the enemy; and in case the owners will not consent to sell them upon the terms prescribed by the Act for procuring an immediate supply of clothing and fresh provisions, &c., you will seize them agreeably to the said act. You will also purchase all the bacon, barrelled pork and beef, in your county; if not to be purchased, you will seize what can be spared without distressing the owners, agreeably to the Act to procure a supply of salt meat, &c., passed June, 1780.

"Number of cattle to be procured from each county: Somerset, 600; Worcester, 600; Dorchester, 400; Talbot, 350; Caroline, 150; Queen Anne's, 350; Kent, 300; Cecil, 350; Harford, 300; Baltimore, 400; Anne Arundel, 200; Prince George's, 200; Charles, 200; Saint Mary's, 200; Calvert, 200; Montgomery, 300; Frederick, 400; and Washington, 300. Places where they are to be deposited: Kent, Cecil, Caroline, to be sent to the head of Elk. The salted provisions of Cecil, Kent and Caroline to be sent to the same place. The salted provisions of Somerset to be deposited at Princess Anne; Worcester, at Snow Hill; Dorchester, at Cambridge; Talbot and Queen Anne's, at the head of Miles' River; Frederick and Washington to George Town, and the cattle of Somerset, Worcester, Dorchester, Talbot and Saint Mary's, to be into good pastures, subject to the future orders of the board. Harford and Baltimore cattle and salt provisions, to Baltimore Town. Ann Arundle, Prince George's, Charles, Calvert and Montgomery, at George Town. Frederick and Washington cattle to Fredericksburg.

"Money sent: to Harford, Baltimore and Cecil, each, £100, by Purdy express. To Queen Anne's, Caroline, Talbot, Dorchester, Somerset and Worcester, each, £100, by Mr. Welch. To Montgomery, £100, by express.

"P. S.—To Kent, Caroline, Cecil and Queen Anne's, this letter will supersede our order of yesterday."

At the same time warrants were issued to Donaldson Yeates, quartermaster general of Maryland; David Poe, quartermaster of Baltimore; James Tootell, Annapolis; Thomas Beall, Georgetown; Samuel Maynard, Lower Marlborough; John Belton, Chestertown; James Sullivane, Dorchester; Charles

[1] In the months of June and July, 1781, Maryland furnished, at the head of Elk, for the use of the army, 650 barrels of flour, 106 barrels pork, 5 barrels of beef, and 1,062 bushels of wheat. In 1780, Maryland furnished, at the head of Elk, for the use of the Continental army, 16,784 barrels of flour.

[2] *Revolutionary Correspondence*, iv., p. 395

Blake, Queen Anne; Richard Dallam, Harford, and Hugh Hopewell, of St. Mary's County, empowering and directing them to impress all vessels capable of transporting troops or military stores, with their crews, etc., that may be found within any of the rivers or harbors of the Chesapeake Bay, and direct them immediately to repair to the head of Elk, and await orders from Donaldson Yeates, deputy quartermaster general. James Calhoun was ordered to impress all the wagons and teams in Frederick and Washington Counties, to haul flour and military supplies to Georgetown. Edward Gaither, Colonel Philip Thomas, of Frederick, Vachel Stevens, Christopher Edelen, Captain George P. Keeports and Captain David Poe, were instructed to impress all the wagons, harness and drivers necessary to remove the provisions, forage, etc., collected to the several rendezvous. Vessels also conveyed fresh provisions to the French fleet.[1]

After exerting all the powers of the State to strengthen the hands of Washington, Governor Lee, on the 30th of August, addressed him the following letter:

"We are honored by your Excellency's letter of the 27th, and we receive with the greatest satisfaction the intelligence of the approach of the fleet of our generous Ally. You may rely, Sir, on every exertion that is possible for us to make, to accelerate the movements of the army on an expedition, the success of which must hasten the establishment of the Independence of America, and relieve us from many of the calamities of war. Orders have been issued to impress every vessel belonging to the State, and forwarding them without delay to the head of Elk. But we are sorry to inform your Excellency that since the enemy has had possession of the Bay, our number of sea vessels and craft has been so reduced by captures, that we are apprehensive what remains will not transport so considerable a detachment. We have directed the State officers to procure immediately by purchase or seizure five thousand head of cattle and a large quantity of flour. There is very little salt provision in the State; what can be obtained, we trust will be collected. Part of the provisions will be deposited at the head of Elk, Baltimore Town, and George Town. Most of the cattle will be kept in good pastures, not far distant from the Bay and rivers, so that they may with ease be forwarded to any point where they may be required. We have directed sufficient quantities of forage to be laid in at the head of Elk, Baltimore Town and George Town, for the use of the army. The third regiment, consisting of about six hundred men, under the command of Colonel Adams, marched from this city last Tuesday, and about seven hundred of the new levies here will move in a few days. Every aid that can be given Mr. Morris, will be afforded with the utmost cheerfulness and alacrity.

And in reply to the letter of Robert Morris, the Governor, on the 31st, wrote:

"Everything that is within our power, and within the exhausted abilities of this State, shall be done cheerfully and immediately to promote and render effectual the expedition which His Excellency General Washington has formed against the British in Virginia; in which we are fully sensible the care and safety of this State in particular is

[1] In April, on his first visit to Virginia, Lafayette sent the State barge *Dolphin*, Captain William Middleton, with a French officer, expressly to communicate with the French fleet, which he supposed had arrived in the Chesapeake. By mistake, the French officer ran the *Dolphin* alongside the British ship *Royal Oak*, and she was captured.

deeply interested. The most precise orders are issued to impress every vessel within this State, and forward them to the head of Elk without a moments delay; to purchase and seize all the salt provisions, upwards of five thousand head of cattle, and to procure a large quantity of flour and forage; part of these supplies will be at Elk, Baltimore and George Town, the rest in places convenient to be removed either by land or water, as may be found most proper for the service."

The American army, under the immediate command of General Lincoln, marched by land from Trenton and passed through Philadelphia on the 2d of September. Washington did not leave there until the 5th, by which time he had grown very anxious to know what had become of Count de Grasse and his fleet. This anxiety, however, was not long continued, for about 10 o'clock on the morning of the 4th, the French cutter, *Serpent*, of eighteen guns, under Captain Arne de la Laum, arrived in Baltimore and announced its arrival, and brought despatches for General Washington from Count de Grasse. General Gist, who had charge of the military forces in Baltimore at the time, received the despatches, and immediately sent express to Governor Lee and Washington. The commander-in-chief received the glad tidings on the 5th of September, about three miles below Chester, and immediately enclosed General Gist's letter to the president of congress in Philadelphia. "It announces," says Washington, "the safe arrival in the Chesapeake of Admiral de Grasse, with twenty-eight ships of the line. On this happy event I beg your Excellency to accept my warmest congratulations." The news soon spread throughout Philadelphia. Acclamations were to be heard on all sides, and the people assembling before the house of the French minister, rent the air with loud huzzas for Louis XVI. Washington arrived at the head of Elk on the following day, where the troops and a great part of the stores had arrived, and were beginning to embark.

Owing to the great scarcity of vessels at the head of Elk for the transportation of all the troops, ordnance and stores, Washington directed that a part of the troops should proceed to Baltimore and Annapolis by land. Leaving General Heath to bring on the American troops, and the Baron de Viomeril the French, Washington, accompanied by Adjutant General Hand and a number of other officers, crossed the Susquehannah early on the 8th, and pushed forward to Baltimore. He was met outside of the town by a large number of distinguished citizens on horseback, and Captain Nicholas R. Moore's troop of light dragoons and escorted to the Fountain Inn.[1]

The Baltimore artillery companies honored the arrival of Washington with a salute, and the inhabitants of the town vied with each other in testifying their respect and affection for his person and character. His arrival was also celebrated in the evening with a general illumination of the town and a banquet given at Lindsey's coffee house. A committee of citizens, com-

[1] The Baltimore Light Dragoons returned to Baltimore on the 4th of August, the movements of the enemy at Yorktown rendering their longer stay there unnecessary. Previous to the departure of this fine troop of the best citizens of Baltimore, they received the thanks of General Lafayette and Governor Nelson, as well as of General Morgan, under whose immediate command they served, for their patriotic and spirited behavior.

posed of William Smith, Samuel Purviance, Jr., John Moale, John Dorsey and James Calhoun, waited upon him during the evening and presented him with the following address:

"His Excellency George Washington, Esq., General and Commander-in-Chief of the armies of the United States of America.

"May it please your Excellency, the citizens and inhabitants of Baltimore, impressed with the warmest sentiments of respect and esteem, and with the most lively sense of the important services rendered by you to them and their country, beg leave, through us, to congratulate your Excellency upon your arrival in this town, and to express the general joy diffused through every breast at the return of your Excellency to this place.

"It has been with the highest satisfaction we have found our most sanguine expectations from your military talents exceeded by the abilities you have displayed during a series of various fortunes, as well in the day of battle as the hour of distress; your fortitude and perseverance under all our calamities, the wisdom of your counsels, the judicious and mild regulation of the army, your sacred attention to the civil powers of the respective States, and the great address with which our military operations have been conducted under your Excellency's direction, demand the warmest effusions of gratitude that can flow from the hearts of a free people. Permit us also to congratulate your Excellency upon the many signal successes that have lately attended the American arms in the Southern States, obtained with such distinguished honors to our gallant officers and soldiers, and on the arrival of the fleet of our magnanimous ally, aided by whose noble and generous exertions we look forward with pleasing hopes to the day of peace, when we may freely enjoy the bounties with which All-gracious Heaven has enriched our country.

"May your present operations prove successful, and may the grand work in which you are engaged be happily terminated. Our prayers are for your Excellency's preservation, that you may continue approved by heaven, esteemed by virtuous men, and dreaded by tyrants; and on the restoration of public tranquillity, that you may in peaceful retirement enjoy that satisfaction of mind which the sense of great and noble deeds always inspires; and may posterity, in the full possession and exercise of that freedom which your sword has assisted to establish, venerate and do ample justice to your virtue and character to the last ages."

To this address, Washington replied as follows:

"To the citizens and inhabitants of the town of Baltimore—

"Gentlemen:—With the warmest sense of gratitude and affection, I accept your kind congratulations on my arrival in this town. Permit me, gentlemen, to assure you, that from the pleasure which I feel in having this opportunity to pay my respects to the worthy inhabitants of the town of Baltimore, I participate in your sensations of joy. If during the long and trying period in which my services as a soldier have been employed for the interests of the United States of America and for the establishment of their rights, I have acquitted myself to the acceptance of my fellow-citizens; if my various fortunes, if my attention to the civil powers of the States, have subserved the general good of the public in these things, I feel myself happy, and in these considerations I rejoice in your felicity.

"The happy and eventful successes of our troops in the Southern States, as they reflect glory on the American arms, and particular honor on the gallant officers and men immediately concerned in that department, fill my heart with pleasure and delight.

"The active and generous part our allies are taking in our cause, with the late arrival of their formidable fleet in the bay of the Chesapeake, call for our utmost gratitude, and

with the smiles of heaven on our combined operations, gives us the happiest presage of the most pleasing events—events, which in their issue, may lead to an honorable and permanent peace.

"I thank you most cordially for your prayers and good wishes for my prosperity. May the author of all blessings aid our united exertions in the cause of liberty and universal peace; and may the particular blessing of heaven rest on you and the worthy citizens of this flourishing town of Baltimore."

Early on the morning of the 9th, Washington left Baltimore accompanied only by Colonel Humphreys; the rest of his suite were to follow at their ease, while he pushed on to Mount Vernon, which he proposed to visit the same evening after an absence of six years. Count Rochambeau, with his suite, arrived in Baltimore on the same day, and after a short stay, proceeded to join Washington at Mount Vernon.

At this time all was activity in Maryland. The arrival of these distinguished leaders, and the prospect of capturing Cornwallis, re-awakened the spirit of the people, and measures of co-operation were effectually and promptly carried out. The third regiment of Continentals was speedily completed and despatched to the scene of action, while the formation of the fourth was hurried on. Effective measures were adopted for the defence of the bay, and several severe actions took place with the straggling cruisers of the enemy. The fourth regiment, under Major Alexander Roxburgh, mustering upwards of six hundred men, rank and file, and "said to contain the best men who had enlisted from this State since the war," marched from Annapolis on the 4th of September, to join Lafayette. On the 5th of September, the governor, in a circular to the commissaries of the several counties, announced the arrival of the French fleet, and urged them to press forward the supplies, wagons, etc. In his circular letter, the governor says:

"There never has been a time which required the exertions of the State more than the present. The fate of Lord Cornwallis and his army, will, in a great measure, depend upon them. Relying, therefore, on your patriotism, zeal and activity, we trust you will do everything in your power to procure the cattle heretofore ordered. Not a moment is to be lost; and to enable you to act with more facility, and to ease the inhabitants, we have sent you: To Somerset, £1,700; Worcester, £1,700; Dorchester, £1,100; Talbot, £950; Caroline, £850; Queen Anne's, £950; Kent, £800; Cecil, £950; Harford, £800; Baltimore, £1,100; Anne Arundel, £500; Prince George's £500; Charles, £500; Saint Mary's, £500; Calvert, £500; Montgomery, £800; Frederick, £1,100; Washington, £800."

The governor also addressed a letter, on the 7th of September, informing Governor Nelson, of Virginia, the measures he had adopted to supply the allied armies with provisions, and what might be expected from Maryland. He says:

"The arrival of the French fleet, commanded by Count De Grasse, with 3,000 land forces, in the bay of Chesapeake, gave us the highest satisfaction, and we can but applaud the cautionary measures concerted to prevent the escape of Lord Cornwallis, and have no doubt of their proving effectual. We are anticipating the pleasures that must follow so auspicious an event as the surrender of the garrisons of York and Gloucester. We saw the necessity of laying in ample supplies of provisions for the fleet and army, and have

been, and still are, exerting ourselves to procure a large quantity of flour, five or six thousand beeves, and what salt meat is obtainable in our State. Although, at this time, we cannot ascertain the quantities of provisions this State can furnish, yet there is reason to believe they will be considerable, in the essential articles of flour and cattle."

On the 11th of September, a large body of the French troops arrived in Baltimore on their march to Annapolis. They encamped in the neighborhood of Howard's Park, and on the 16th resumed their route and reached Annapolis on the 18th. They were followed through Baltimore during the week by an immense train of wagons, carts, &c., loaded with baggage, provisions and military stores. A fleet of transports from the head of Elk, having on board the artillery, grenadiers and light troops of the allied armies put into the harbor of Annapolis, on the 12th, on their route to Yorktown.

Count de Grasse had arrived in the Chesapeake but a few days, when Admiral Graves, who then commanded the British naval force on the American coast, appeared with his fleet off the capes of Virginia. The French commander, anxious to protect the fleet of the Count de Barras, which was expected from Newport, and which it was the intention of Graves to intercept, immediately slipped his cables and put to sea with twenty-four ships, leaving the rest to blockade the enemy in the York and James rivers. The sailing of the fleet greatly distressed Washington, who sent expresses to Governor Lee and his commanding officers, ordering the troops who were embarked at the head of Elk, to remain until the receipt of further intelligence, fearing that the navigation of the Chesapeake might not be secure. For several days he remained in anxious uncertainty, until he arrived at Williamsburg, on the 14th, when he learned that de Grasse had engaged the enemy on the afternoon of the 7th of September, in which the British, after an animated conflict of two hours, had sustained great loss. The British fleet returned to New York and Count de Grasse now remained undisturbed master of the Chesapeake. On his way back he captured two British ships, one of which was the *Fowey*, which had carried Governor Eden to England. In the meanwhile, de Barras had arrived safely in the Chesapeake with a fleet of transports, conveying land forces under M. de Choisy, with siege artillery and military stores.

Washington now sent Count Fersen, one of Rochambeau's aides, to hurry on the troops with all despatch. He also wrote to the same purport to General Lincoln and Governor Lee:

"Every day we now lose," said he to Lincoln, "is comparatively an age: as soon as it is in our power, with safety, we ought to take our position near the enemy. Hurry on then, my dear Sir, with your troops on the wings of speed. The want of our men and stores is now all that retards our immediate operations. Lord Cornwallis is improving every moment to the best advantage; and every day that is given him to make his preparations may cost us many lives to encounter them."

A portion of the French fleet was anchored off Annapolis, and on the 20th of September, the troops in that city embarked on board and were convoyed by the *Romulus*, *Gentille*, and other French ships down the bay. Those who

were detained at the head of Elk, by the orders of Washington, arrived in Annapolis, on the 27th, in a fleet of transports, and soon after proceeded to Virginia.

In response to Washington's letter, Governor Lee, on the 19th of September, wrote him as follows:

"Your Excellency's address of the 15th is this moment presented to us. We are truly happy to be informed that the Count De Grasse is returned to his station, and that our vessels may pass down the Bay without hazard. We feel your Excellency's distress from an apprehension that your operations may cease or be impeded for want of provisions, and the more so because we can't instantly furnish you. In consequence of your requisition, we directed our Commissaries to collect all the public flour and deposit it at convenient places on navigable water; since which, Mr. Calhoun, the Commissary for the Western Shore, has informed us that 1,185 barrels are at George Town, and the public wheat in Washington and Frederick Counties now manufacturing and transporting to that port, will, we are satisfied, afford from fifteen hundred to two thousand barrels more. There are at Baltimore Town about four hundred and fifty barrels, and at the head of Elk three hundred barrels, which last quantity must be greatly augmented in a short time unless the French purchasers (who have hard money to procure what they want) interfere with our measures and render them inefficacious. If that event should happen, we shall be constrained to resort to seizure, which will procrastinate our further supplies, and from its odiousness, ought, if possible, to be avoided. All the vessels belonging to the State being impressed, and now employed in transporting the troops to the point of destination, puts it out of our power to forward the flour immediately; as soon as they return we shall order them on that service. The number of beeves we engaged to furnish, your Excellency may depend on, and we will have them driven to such places within this State as you may point out. We apprehend those on the Eastern Shore must be sent by water; however, you will be pleased to determine and give directions. Your Excellency may rely on our making every possible exertion to supply you with everything in this State that you may want; but we wish you would not depend on us entirely for axes, hatchets and entrenching tools. The credit of our new money, our only medium, has been greatly wounded, and the circulation in some measure stopped since the French contractors have been in the State, who have parted with their specie with great liberality; and we expect for some time to meet with difficulties in obtaining what is required."

On the next day, Governor Lee wrote to Colonel Thomas Price and Colonel Moses Rawlings, of Frederick County, the following:

"General Washington writes in the most urgent manner, to hasten to him without a moment's delay, all the flour that can possibly be procured, as his army is, in a manner, starving for want of bread. Under such repeated and pressing necessity, we earnestly request you to exert yourself, and employ others, and impress, if necessary, whatever wagons, teams and drivers you will want, to send to George Town all the flour you can possibly procure, and without a moment's loss of time. We rely on your zeal and industry at this most important juncture."[1]

On the 25th of September, the American and French troops had, in most part, arrived near Williamsburg, and preparations were made for the decisive blow. On the 28th, the combined armies marched from the city to besiege Yorktown; and on the night of the 6th of October, General Lincoln had the

[1] On the 2d of October, Brigadier General Gist, who had been raising and organizing the new Maryland levies, left Baltimore to join the army at Yorktown.

honor of opening the first parallel. By the 9th it was completed, and the batteries opened on the enemy with a cannonade which was continued, almost incessantly, for several days. On the 11th, the second parallel was opened by the division of Baron Steuben, and on the 14th, the Americans and French stormed two redoubts. On the 16th, the enemy made a sortie, but were driven back; and on the 17th, Cornwallis, who could neither hold the post nor escape, proposed to surrender, which was carried into effect on the 19th. By the articles of surrender, Cornwallis gave up seven thousand two hundred and forty-seven regular troops, besides eight hundred and forty sailors. One hundred and six guns were taken, of which seventy-five were brass. The land forces and stores were assigned to the Americans, the ships and marines to the French. Cornwallis remaining in his tent, General O'Hara marched the British army past the allied armies and stacked their guns. A full share of the honor of this glorious achievement is justly due to Maryland. While her troops, under Gist, were doing their part and maintaining the honor of their State in the field and in the trenches of Yorktown, her executive and State government, zealously sustained by the patriotic people, were exerting themselves to the utmost to furnish the necessary supplies to the combined armies, to maintain the siege. Washington, in the midst of his arduous duties and manifold anxieties, took time to thank Governor Lee for the noble efforts he was making to sustain the cause. In a letter of the 12th of October (only one week before the surrender) Washington writes: "Give me leave to return you my sincerest thanks for your exertions on the present occasion. The supplies granted by the State are so liberal, that they remove any apprehension of want."

COUNT DE GRASSE.

On Saturday, October 20th, an express boat arrived at Annapolis with a letter from the Count de Grasse to Governor Lee, of which the following is a translation:

"*La Ville de Paris, Oct. 19th, 1781.*

"SIR:—I have the honor to thank your Excellency for the intelligence which you have been pleased to communicate. I have just desired General Washington to send me back my troops, of which, probably, he will no longer stand in need, as Lord Cornwallis has surrendered, which, perhaps, you will not have heard before this reaches you. As soon as they are embarked I shall quit the bay of Chesapeake, and I will endeavor still to contribute to the welfare of the United States, in stopping, if I can, Sir Henry Clinton.

"I have the honor to be, with the most respectful attachment, your Excellency's most obedient humble servant.

"DE GRASSE."

This great and important intelligence, wherever announced, was immediately hailed by the joyful acclamations of the people and the firing of cannon. Healths were drunk, and every breast swelled with joy. On the Monday following, Baltimore and Annapolis were illuminated, and the public rejoicings

which Annapolis commenced, soon spread throughout the Union. "Cornwallis is taken!" was the universal acclaim. It was considered the finishing stroke of the war.[1]

The Maryland, Pennsylvania and Virginia Continentals, under General St. Clair, were now sent to the support of General Greene, in the south; while the French troops, under the Marquis St. Simon, embarked on board the ships of Count de Grasse, who sailed from the Chesapeake on the 4th of November. The main part of the American army embarked for the head of Elk, and returned northward, under General Lincoln, to go into winter quarters in the Jerseys. The French army under Count de Rochambeau, were to remain at Williamsburg, Va. The British prisoners were marched to Fort Frederick,[2] Md., and Winchester, Va., and Lord Cornwallis and his principal officers sailed for New York. Lafayette, seeing that his services would not be required in the winter, obtained permission from congress and returned to France. Having attended to the affairs of the army, Washington left Yorktown on the 5th of November for Mount Vernon, where he remained a few weeks, and then set out for Philadelphia.[3] He arrived in Annapolis on the 21st, during the session of the assembly, and on the following day they tendered him the following address:

"The General Assembly joyfully embrace the opportunity which your welcome arrival in this city affords them, of testifying to your Excellency in person, their high sense of your signal services, and of shewing you every mark of esteem and respect. Dictated by the purest public spirit, your long and steady perseverance, and anxious unremitted vigilance, under the pressure of surrounding difficulties, to save your country from the tyrannny and oppression of a powerful nation, exhibit to the world a character of most exalted virtue, and fill the minds of all America with gratitude and veneration.

"Strength of judgment, united with genius full of resources, and singularly distinguished by a constant serenity and presence of mind in the midst of dangers and distress, instantly discerned and seized the decisive moments of enterprise, planned the passage of the Delaware in a wintry and tempestuous night, the consequential surprise and capture of the Hessians at Trenton, speedily followed by that masterly movement which extricated undisciplined levies from an imminent and unequal conflict with veteran troops, eluded the vigilance of an active commander, turned retreat into victory at Princeton, checked the enemy's rapid career, raised the drooping spirits of your country, and inspired your soldiers with confidence in their general and themselves.

"Your military talents, eminent as they are, form not the most admired part of your character; your inviolate regard to the civil authority manifested on all occasions, and in situations the most trying, claims the warmest acknowledgments of the guardians of the rights and liberties of the people.

"Your great example has diffused its influence throughout the states, your watchful care and attention have been extended in every quarter, and the happy effects are viewed with equal admiration and pleasure in all our military operations conducted by brave and

[1] A correspondent in the Maryland *Gazette* of November 1, says that, out of upwards of 2,000 slaves who joined Lord Cornwallis, over 1,500 perished by disease and famine.

A horse, properly caparisoned, and an elegant sword, were given by congress to Colonel Tench Tilghman, of Washington's staff, who had been the bearer of the despatches containing the news of the capitulation of Cornwallis. He arrived in Philadelphia on the 23d.

[2] They were subsequently removed to Lancaster, Pennsylvania.

[3] John Hanson, of Frederick County, was elected president of congress on the 6th of November.

virtuous officers, and executed by undaunted troops, patient and persevering under accumulated hardships and distress.

"Accept, Sir, the sincerest thanks of the legislature on behalf of this state for your eminent services; with warm and grateful hearts they entertain the highest sense of the great obligations you have laid upon them, obligations which cannot cease, and can only be attempted to be discharged by endeavoring to preserve the memory of those actions by which they were created. While we pay this just tribute to your Excellency's distinguished merit, we feel a peculiar pleasure in acknowledging the powerful assistance afforded us by our generous ally, the signal proofs of skill and bravery exhibited by his officers and soldiers, and their strict discipline and exemplary behaviour in their march through this state. We have the greatest satisfaction in congratulating you on the late most glorious success of the allied army under your immediate command; an event which reflects the highest honor upon your Excellency, adds lustre to the allied arms, and affords a rational ground of belief that under the favor of Divine Providence, the freedom, independence and happiness of America will shortly be established upon the surest foundation.

"THOMAS COCKEY DEYE, *Speaker House Delegates.*
"GEORGE PLATER, *President Senate.*

To this Washington replied:

"GENTLEMEN:—I very sensibly feel the honor which has this day been conferred upon me by the vote of thanks of so respectable a body as that of the General Assembly of the State of Maryland.

"The regard which they have been pleased to express for me personally—the delicate manner in which they have recalled to view those distant events which, in some degree, led to our present happy situation—and the general approbation which they have generously bestowed upon the whole of my conduct, must ever secure them my warmest esteem, and must at the same time operate as fresh incentives to merit their future good opinion.

"It is with the highest degree of pleasure I observe that a proper allowance has been made for the capital share which the land and sea forces of our great and good ally had in the reduction of the common enemy at York, in Virginia.—I should deem myself unpardonable, were I not upon every occasion, more especially upon such an one as the present, to declare, that to the sound counsels and vigorous exertions of their Excellencies the Counts de Rochambeau and de Grasse, much, very much, of our success was owing. While I agree in sentiment with the honorable body over whom you preside, that we may entertain a rational ground of belief, that under the favor of Divine Providence the freedom, independence, and happiness of America will shortly be established upon the surest foundation, I think it a duty incumbent upon me to observe, that those most desirable objects are not to be fully attained but by a continuance of those exertions which have already so greatly humbled the power of our inveterate enemies. Relaxation upon our part will give them time to recollect and recover themselves; whereas a vigorous prosecution of the war must inevitably crush their remaining force in these States or put them to the shameful necessity of entirely withdrawing themselves. I cannot conclude without expressing my warmest wishes for the prosperity of a State which has ever stood among the foremost in her support of the common cause. I confess myself under a particular obligation for the ready attention which I have experienced to those requisitions which, in the course of my duty, I have occasionally been under the necessity of making.

"I have the honor to be, with the most profound respect,

"Gentlemen, your most obedient and humble servant,

"G. WASHINGTON.

"Hon. George Plater, *President of the Senate.* Hon. Tho. Cockey Deye, *Speaker of the House of Delegates*, of the State of Maryland."

CHAPTER XXVIII.

In the beginning of this year (1781), the great plan of a confederation which had held a prominent part in the discussions of congress since the beginning of the Revolution, was settled. A confederation and perpetual union among the colonies had been suggested as early as the summer of 1775, by Dr. Franklin, who then submitted to congress a plan that the colonies enter "into a firm league of friendship with each other, binding on themselves and their posterity, for the common defence against their enemies, for the security of their liberties and properties, the safety of their persons and families, and their mutual and general welfare." The consideration of this subject was postponed until the 11th of June, 1776, when, the Declaration of Independence being under discussion, congress resolved to apppoint a committee to prepare and digest the form of a confederation to be entered into between the colonies. On the next day the following persons were selected for this important object: Thomas Stone, Maryland; Samuel Adams, Massachusetts; Edward Rutledge, South Carolina; Robert Livingston, New York; Josiah Bartlett, New Hampshire; Stephen Hopkins, Rhode Island; Roger Sherman, Connecticut; John Dickinson, Pennsylvania; Thomas McKean, Delaware; Thomas Nelson, Jr., Virginia; Joseph Hewes, North Carolina; Button Gwinnett, Georgia. The committee reported a plan of confederacy, consisting of twelve articles, on the 12th of July, which were discussed from time to time, until the 20th of August, when an amended draft was reported to congress. Owing to various causes, the subject was not resumed until April, 1777, when they resolved that two days in each week should be employed "until it shall be wholly discussed."

In the meanwhile, the subject of the western lands entered into the debates and became a leading and distinctive feature in the formation of a confederacy. To understand the position of Maryland upon this question, it is necessary to take a cursory view of the manner in which the public lands were acquired.

The title of Virginia to the lands west of the Alleghanies and northwest of the Ohio, was claimed (as we have shown in the earlier pages of this work) under a charter granted by James I., in 1609, to a corporation called the London Company, the members of which resided in England. The territory granted by this charter embraced about one-half of North America, and included the whole of the present States of Virginia, West Virginia, Maryland, Delaware, nearly all of Pennsylvania, Ohio, Indiana, Michigan, Wisconsin,

Illinois, Iowa, Kentucky, North Carolina, Tennessee, and a considerable portion of South Carolina. In 1624, by a judgment in the Court of King's Bench, the corporation was dissolved, the charter vacated and declared null and void, and ordered to be resumed by the crown. Virginia then became a royal government, and her boundaries, like all other royal provinces, were subject to the pleasure of the crown.[1]

The charters of Maryland, Carolina and Pennsylvania were all granted out of Virginia, without any rights of Virginia being infringed. Up to the period of the Revolution, the Alleghanies were always deemed the western boundaries of Virginia; the territory beyond those mountains being described in public documents as "lands lying in the back of Virginia." When, by the peace of 1763, England had acquired an undisputed title to the territory west and northwest of the Alleghanies, the king, under an order in council, issued his proclamation, forbidding any grants of lands by the Governor of Virginia, beyond the sources of the rivers which fall into the Atlantic, reserving to the crown the sovereignty and dominion of all territory not included within such limits of the colony. Thus the matter rested until the constitution of Virginia was formed, in June, 1776, when a claim was set up to the western country. This constitution contained an Article declaring what should be the boundaries of Virginia. And in this Article, Virginia "cedes" to Pennsylvania, Maryland and to North and South Carolina, all the territory within their respective limits, and then declares her boundaries to be those described in the charter of 1609—a charter which had been vacated for a hundred and fifty years, during all which time not an act had been done, either by the crown or Virginia, recognizing its existence.[2]

In the War of Independence, the colonies made common cause, and from its very beginning were desirous of forming a confederated government. The anxiety of the large States to have their claims recognized to all the western domain, at once awakened the small States to the true state of the question of right and justice in this enlarged pretension. The small States were all willing to make common cause against the common enemy, and regarded it but reasonable and just, and as politic as just, that what was rescued from the common enemy should be the common property of all.

Maryland, ever alive to all subjects that affected her welfare, took a leading and active interest in the question. The experience of the past made

[1] "There is the best evidence that the dissolution of the charter was satisfactory to the colonists. In 1642, George Sandys, who was the agent for the colonists in England, but who had been a member of the London Company, without authority from his principals, petitioned parliament for a restoration of the charter. When the colonists were informed of his conduct, the House of Burgesses remonstrated against it, disavowing his proceedings, and assigned, at length, and in strong language, their reasons for preferring the royal to the charter government. The old charter boundaries were ever disregarded and held for naught by the crown." — Speech of Mr. Hall, of Vermont House of Representatives, June 25, 1842.

[2] In the 21st Article of the Virginia Constitution of 1776, after making certain reservations as to the navigation and use of the Potomac and Pocomoke, etc., Virginia expressly cedes and confirms to the State of Maryland "all the territory contained within its charter, with all the rights of property, jurisdiction and government, and all other rights whatsoever which may, at any time heretofore, have been claimed by Virginia."

her sagacious as to the future. She had found that, although her charter had been the most liberal of all, and her limits better defined than those of the other colonies, still, by the adroit management of William Penn, she had lost much of her northern and eastern territory, while Virginia was urging claim to a portion of her southern, east of the Chesapeake Bay, as well as to a large portion of her western and southwestern territory.

The large States, and especially Virginia, persisting in their pretensions, induced Maryland to urge the strongest arguments against their justice; nor was she willing to join the confederacy until those arguments were listened to and their force admitted.

We have seen that Maryland, as early as October, 1776, first raised the question whether these lands should belong to the United States, or to the individual States within whose nominal limits they were situated. She maintained that the property and jurisdiction of the soil were acquired by the common sword, purse and blood, of all the States, united in a common effort; and justice, therefore, demanded that, considered in the light of property, the vacant land should be sold to defray the expenses incurred in the contest by which they were obtained; and the future harmony of the States required that the extent and ultimate population of the several States should not be so disproportionate as they would be if their nominal limits should be retained. As before stated, Maryland, as early as the 30th of October, 1776, expressed decided opinion in relation to the vacant lands, by an unanimous resolution of the convention which formed the constitution and frame of government of the State, in the following words:

"*Resolved, unanimously*, That it is the opinion of this convention, that the very extensive claim of the State of Virginia to the back lands hath no foundation in justice; and that if the same or any like claim is admitted, the freedom of the smaller States and the liberties of America may be thereby greatly endangered; this convention being firmly persuaded, that if the dominion over those lands should be established by the blood and treasure of the United States, such lands ought to be considered as a common stock, to be parcelled out at proper times into convenient, free and independent governments."

As a matter of justice, the ground Maryland took was right, and as a measure of political wisdom, it was sagacious. She foresaw that to give these large States all they desired, would be worse than political folly—it would be political suicide. At the adoption of the Constitution, she stood equal in political power with New York, each being allowed, under the Constitution, *six representatives in congress*. New York has now (1878) thirty-three members in the Lower House of Congress, while Maryland has but six.

The amended draft of confederation was considered and debated by congress from April (1777) until the 26th of June, when it was again postponed to the 2d of October. In the meanwhile, on the 18th of April, of the same year, the Maryland Legislature gave their delegates in congress the following instructions:

"We have long and impatiently expected that a Confederacy would have been founded between the United States; nothing we apprehend but the urgency of affairs more

immediately pressing and necessary, would have protracted to this time that essential measure. Without it, there will be no bond of unity among these States, no general superintending and controlling power, whenever the object of the subsisting Union ceases by a happy conclusion of the present war; you, gentlemen, must be fully sensible of the importance of a permanent confederacy, and that its permanency depends on its being founded in justice and good policy. On a subject in which we feel ourselves, and our posterity will be so deeply interested, it becomes our duty thus publicly to deliver our sentiments for the better regulation of your conduct. We do, therefore, instruct you to move for a stricter union and confederacy of the thirteen United States, reserving expressly to the General Assembly of this State, the power of confirming and ratifying the said confederacy, without which ratification we shall not consider it as binding upon this State; and should any other colony solicit to be admitted into that Confederacy, you are to oppose such admission until the General Assembly can be informed thereof and their consent obtained thereto.

"Without an economical management of our revenues it will be extremely difficult to support this expensive war; nothing can contribute more to such management than a liquidation of the public debt, and the laying down in the confederacy some equitable rule for the ascertaining the quotas of that debt, which the several confederating States are to pay. We know no rule liable to so few exceptions as the number of white inhabitants in each of the States; negroes rather weaken than strengthen the Southern States; yet, as they are accounted property, though often of a precarious, and the very young and aged, always of an expensive nature, we consent that the negro taxables in this State be deemed and taken as part of our people for the purpose of taxation.

"Representatives ought always to be accountable for their conduct to their constituents; yet, when their proceedings remains secret, and their votes on the most important subjects are unknown, their conduct, though ever so censurable, will go unpunished for want of proper information.

"We therefore instruct you to move for and endeavor to obtain that all the journals of Congress be regularly and expeditiously published, except such parts thereof as relate to military operations and secret correspondence; that all proceedings of Congress and all questions agitated and determined in that body, be entered on their journal; and that the yeas and nays of each member, if required by any State, be taken on every question, as stated and determined by the House."

These instructions were transmitted by Governor Johnson to the Maryland delegates in congress, and they acted accordingly. On the 2d of October, the question was again taken up and debated until the 15th of November, 1777, when it was finally adopted. By this plan the thirteen States proposed to form a confederacy under the name and style of "the United States of America." They also proposed to enter "into a firm league of friendship with each other, for their defence, the security of their liberties, and their mutual and general welfare; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever." The Articles of Confederation directed that the form of government should be submitted to the legislatures of the several States for adoption, and if adopted, they were requested to authorize their delegates in congress to subscribe to the same, which subscription was to be binding and conclusive. On the 13th of December, 1777, the Articles of Confederation were read by the Maryland House of

Delegates, and ordered to be spread on the journal. After some debate they were considered on the 16th, and, on the following day, both Houses in joint convention adopted the following resolutions:

"*Resolved*, That the Delegates to Congress from the State of Maryland, be instructed to endeavor to get an amendment of the fourth Article of the Confederation, by striking out the word 'paupers,' and inserting a provision 'that no State shall be burthened with the maintenance of poor persons who shall remove from another State.'

"*Resolved*, That the said Delegates be instructed to lend their endeavors to obtain an explanation of the eighth Article of the Confederation, which may be construed to comprehend those lands only which may be granted to, or surveyed for, any person at the time of ratifying the Articles of Confederation in the Congress of the United States; and to represent that all the lands within each State thereafter granted to, or surveyed for any person, with the buildings and improvements therein, should, from time to time, be valued, according to such mode as the United States in Congress assembled, shall direct; to find the proportion in which each State ought to contribute towards the common expense, and supplying the treasury of the United States.

"*Resolved*, That the Delegates to Congress, from this State, be instructed to remonstrate to the Honorable Congress, that this State esteem it essentially necessary for rendering the Union lasting, that the United States, in Congress assembled, have full power to ascertain and fix the western limits of those States that claim to the Mississippi or South Sea. That this State consider themselves jointly entitled to a right in common with the other members of the Union to that extensive tract of country which lies to the westward of the frontiers of the United States, the property of which was not vested in, or granted to, individuals at the commencement of the present war.

"That the same hath been, or may hereafter be, gained from the King of Great Britain, or the native Indians by the blood and treasure of all, and ought, therefore, to be a common estate, to be granted out on terms beneficial to all the United States; and that they use their utmost endeavors to obtain an Article to this effect, to be made part of the confederation.

"*Resolved*, That this State will contribute their quota of men and money towards carrying on the present war with Great Britain, for the purpose of establishing the freedom and independence of the United States, according to such rule of proportion as shall be determined by the United States in Congress assembled; and will pay their proportion of all money issued or borrowed by Congress, or which may hereafter be issued or borrowed for the purpose aforesaid; and that this State will accede to, and faithfully execute all treaties which have been or shall be made by authority of Congress, and will be bound and governed by the determination of the United States in Congress assembled relative to peace and war."

On the 20th of June, 1778, the delegates from the several States in congress were called upon for their instructions on the Articles of Confederation. New Hampshire, New York, Virginia and North Carolina, had adopted the plan without amendments; by others, various amendments were proposed; but all the States except New Jersey, Delaware and Maryland, had instructed their delegates to ratify the articles, even if the amendments proposed by them should be rejected by congress. A form of ratification having been adopted for signature, on the 9th of July, the Articles of Confederation were signed by the delegates of New Hampshire, Massachusetts, Rhode Island,

Connecticut, New York, Pennsylvania, Virginia and South Carolina. North Carolina ratified the same on the 21st of July; Georgia, on the 24th; New Jersey, on the 26th of November, and Delaware on the 5th of May, 1779.[1]

The assent of Maryland was now only wanting to complete the confederation. She, however, still persisted in her refusal, and, in a masterly argument, instructed her delegates in congress on the 15th of December, 1778, to refuse assent until the States should relinquish their unjust pretensions. In their instructions which were laid before congress on the 21st of May, 1779, the General Assembly of Maryland say to their delegates in congress that:

"Having conferred upon you a trust of the highest nature, it is evident we place great confidence in your integrity, abilities and zeal, to promote the general welfare of the United States, and the particular interest of this State, where the latter is not incompatible with the former; but to add greater weight to your proceedings in Congress, and take away all suspicions that the opinions you there entertain and the votes you give may be the mere opinions of individuals, and not resulting from your knowledge of the sense and deliberate judgment of the State you represent; we think it our duty to instruct as followeth on the subject of the Confederation; a subject in which, unfortunately, a supposed difference of interest has produced an almost equal division of sentiment among the several States comprising the Union. We say a supposed difference of interests, for if local attachments and prejudices, and the avarice and ambition of individuals, would give way to the dictates of a sound policy founded on the principles of justice (and no other policy but what is founded on those immutable principles deserves to be called sound), we flatter ourselves this apparent diversity of interests would soon vanish, and all the States would confederate on terms mutually advantageous to all; for they would then perceive that no other confederation than one so formed can be lasting. Although the pressure of immediate calamities, the dread of their continuance from the appearance of disunion, and some other peculiar circumstances, may have induced some States to accede to the present confederation contrary to their own interests and judgments, it requires no great share of foresight to predict that, when those causes cease to operate, the States which have thus acceded to the Confederation will consider it as no longer binding, and will eagerly embrace the first occasion of asserting their just rights and securing their independence. Is it possible that those States who are ambitiously grasping at territories to which, in our judgment, they have not the least shadow of exclusive right, will use with greater moderation the increase of wealth and power derived from those territories, when acquired, that what they have displayed in their endeavors to acquire them? We think not. We are convinced the same spirit which hath prompted them to insist on a claim so extravagant, so repugnant to every principle of justice, so incompatible with the general welfare of all the States, will urge them on to add oppression to injustice. If they should not be incited by a superiority of wealth and strength to oppress, by open force, their less wealthy and less powerful neighbors, yet depopulation, and consequently, the impoverishment of those States, will necessarily follow, which, by an unfair construction of the Confederation, may be stripped of a common interest and the common benefits desirable from the Western country. Suppose, for instance, Virginia, indisputably possessed of the extensive and fertile country to which she has set up claim, what would be the probable consequence to Maryland of such an undisturbed and undisputed possession? They cannot escape the least discerning.

"Virginia, by selling, on the most moderate terms, a small proportion of the lands in question, would draw into her treasury vast sums of money; and, in proportion to the

[1] Curtis, *History of the Constitution*, ii., p. 125.

sums arising from such sales, would be enabled to lessen her taxes. Lands comparatively cheap, and taxes comparatively low, with the lands and taxes of the adjacent State, would quickly drain the State thus disadvantageously circumstanced of its most useful inhabitants; its wealth and its consequence in the scale of the Confederated States would sink of course. A claim so injurious to more than one-half, if not to the whole of the United States, ought to be supported by the clearest evidence of the right; yet what evidence of that right has been produced? What arguments alleged in support, either of the evidence or the right? None that we have heard of deserving a serious refutation.

"It has been said that some of the delegates of a neighboring State have declared their opinion of the impracticability of governing the extensive domain claimed by that State; hence, also, the necessity was admitted of dividing its territory and erecting a new State, under the auspices and direction of the elder, from whom, no doubt, it would receive its form of government, to whom it would be bound by some alliance or confederacy, and by whose councils it would be influenced; such a measure, if ever attempted, would certainly be opposed by the other States, as inconsistent with the letter and spirit of the proposed confederation. Should it take place, by establishing a sub-confederacy, *imperium in imperio*, the State possessed of this extensive dominion must then either submit to all the inconveniences of an overgrown and unwieldy government, or suffer the authority of Congress to interpose at a future time, and to lop off a part of its territory, to be erected into a new and free State, and admitted into the confederation on such conditions as shall be settled by nine States. If it is necessary for the happiness and tranquillity of a State thus overgrown, that Congress should hereafter interfere and divide its territory; why is the claim to that territory now made and so pertinaciously insisted on? We can suggest to ourselves but two motives; either the declaration of relinquishing, at some future period, a portion of the country now contended for, was made to lull suspicion asleep, and to cover the designs of a secret ambition, or, if the thought was seriously entertained, the lands are now claimed to reap an immediate profit from the sale. We are convinced, policy and justice require that a country unsettled at the commencement of this war, *claimed by the British crown*, and *ceded to it by the treaty of Paris*, if wrested from the common enemy by the blood and treasure of the thirteen States, should be considered *as a common property*, subject to be parcelled out by Congress into free, convenient and independent governments, *in such manner* and at such times as the wisdom of that assembly shall hereafter direct.

"Thus convinced, we should betray the trust reposed in us by our constituents were we to authorize you to ratify on their behalf the Confederation, unless it be further explained. We have coolly and dispassionately considered the subject; we have weighed probable inconveniences and hardships against the sacrifice of just and essential rights; and do instruct you not to agree to the Confederation unless an article or articles be added thereto in conformity with our declaration. Should we succeed in obtaining such article or articles, then you are hereby fully empowered to accede to the Confederacy."[1]

Thus, Maryland refused to sign the Articles of Confederation unless they should contain some provision for settling the question as to the western domain. She resisted the claims of *particular* States as an extravagant *pretense* of right, inconsistent with reason and repugnant to justice; she contended that what was rescued from the common enemy, by the common effort, ought of right to be a common property, to enure forever for the com-

[1] The legislature also drew up, and sent their delegates in congress, a "declaration," which they directed should be printed and a copy delivered to each member of congress.

mon benefit of all the States. The position which Maryland thus took was approved by several of the States, and most of them contended, on similar grounds, for a participation in the public lands.

Congress, however, refused to amend the Articles; and in the instructions to George Plater, Thomas Johnson, James Forbes, John Hall, Edward Lloyd and John Hanson, delegates to congress, on the 22d of December, 1779, the Maryland Assembly says:

"With regard to the Confederation, we instruct and require you to govern yourselves in all points relative by the instructions heretofore given to the Delegates to Congress from this State at October session, 1778. The events of the last campaign, the number of continental troops employed on western expeditions, and the great injustice of burthening this State for the sole and exclusive advantage of others, induce us to be of opinion that Congress will interfere and not suffer that immense tract of country to be appropriated to the emolument of particular States. And we are clear in our opinion that those States will find in a few years that they are grasping at a dominion they cannot hold."

Congress now made efforts to remove the impediment by recommending to the States to cede their territorial claims to the United States. The first movement in this direction was the adoption on the 30th of October, 1779, of the following resolution introduced and seconded by William Paca and George Plater, of Maryland:

"WHEREAS, The appropriation of vacant lands by the several States during the continuance of the war will, in the opinion of Congress, be attended with great mischiefs, therefore,

"*Resolved*, That it be earnestly recommended to the State of Virginia, to reconsider their late act of Assembly for opening their land-office;[1] and that it be recommended to the said State, and all other States similarly circumstanced, to forbear settling or issuing warrants for unappropriated lands, or granting the same during the continuance of the present war."

Virginia remonstrated against the action of congress, and protested against its jurisdiction in relation to the public lands, or upon "any other matter" subversive of the internal policy of the State. She, however, declares herself "ready to listen to any just and reasonable propositions for removing the *ostensible* causes of delay to the complete ratification of the confederation."

Congress took into full consideration the subject presented by the objections of Maryland and the remonstrance of Virginia, and on the 6th of September, 1780, made a report. After referring to other matters, they deemed it advisable to endeavor to procure a surrender of a portion of the territorial claim of the several States. In this course they were greatly aided by New York, who in February, 1780, led the way to effect a compromise. The legislature of this State in order "to facilitate the completion of the articles of confederation and perpetual union among the United States of America," authorized its delegates in congress to limit its western boundaries, and to cede a portion of

[1] In May, 1779, Virginia had passed an Act establishing a land office. By this Act, it was declared that the western lands belonging to Virginia should be sold at the rate of £40 per 100 acres.

its vacant lands "for the use and benefit of such of the United States as should become members of the Federal alliance of the *said States, and for no other purpose whatsoever.*"

In compliance with the recommendation of congress, Virginia, on the 2d of January, 1781, offered to make a cession to the United States of her title to lands northwest of the Ohio, upon certain conditions, which were not satisfactory.

Maryland, having succeeded so far as to arouse other States to a sense of the importance of the question in relation to the western domain, to prevent the injurious impression that irreconcilable dissensions existed among the States, on the 29th of January, 1781, again took the subject into consideration. On that day, the House of Delegates passed and sent to the Senate for their action, a bill entitled an

"'Act to empower the Delegates of this State in Congress to subscribe and ratify the Articles of Confederation' with the following message:

"The earnest desire we have that this State should confederate, from our opinion of the utility of such a measure, has induced us to return you the bill to empower the Delegates of this State in Congress to subscribe and ratify the Articles of Confederation, in hopes of your Honors' affirmative thereto. The advantages and necessity of one general established power to draw into action the force of the United States is obvious; perhaps the efforts of the Union, have not yet, for want of it, been equal to its ability; and by longer delaying to define and mark out distinctly the powers of Congress, it is possible that body may, according to the course of human events, possess, in a short time, too little for our defence or too much for our liberty. But if the weight and moderation of Congress should continue as it has done, to the admiration of a speculative mind, for upwards of five years, the inconvenience, which has already been very great, will also continue, of transacting executive business by so large a body or committee of it; and if we should obtain a Peace, on terms the most desirable, a new compact must then be formed, or each State left to pursue its separate views and interests without any common object or centre of Union; a situation not eligible by any who wish well to the whole.

"As your Honors have not intimated your reasons for your negative, we cannot be certain what they are; but from what has heretofore passed on the subject, we presume the claim made by this State to the back country, being a common stock, not having been acceded to, is the principle. We are as strongly impressed with the justice of that claim as your Honors; and are persuaded, that had no exclusive claim been set up, the United States would not have been under their present embarrassments about finances. How far the United States may now be benefitted by the western country as a common fund, is impossible to determine; but it does not appear probable that this State, still refusing to confederate, can be a means of securing or improving it as a fund. On the contrary, where the free and independent will of many is to be consulted, giving up something of the opinion of each is necessary to conciliate an agreement of all in one point. The present appears to us to be a reasonable time to show that as our claim was better founded in justice than the exclusive claims of others, having supported it with firmness, till a disposition is shown of candidly considering it, we choose rather to rely on the justice of the Confederated States, than by an over perseverance, incur the censure of obstinacy. Besides the good effects which will flow from settling the powers of Congress on a known and permanent basis, and thereby greatly improve the executive department, our confederating will, in all probability, spread confidence and satisfaction amongst the States, gratify the wish of our illustrious ally, and may make us be considered by our enemy and all Europe, as one cemented body, than which nothing can more directly tend to

destroy the hopes of our enemy, or more strongly invite his Most Catholic Majesty and other European powers, to a connexion with us, and of course establish the Independence, Peace and happiness of America.

"What consequences may flow from not confederating cannot be foreseen. All that may with propriety, and perhaps more, will be imputed to it; and though we, in common with the rest of this State in particular, and the other States in general, are to be effected by such as are real, we hold ourselves acquitted of being the occasion of them. Your Honors ought therefore to be firmly persuaded of the soundness of that policy by which so many besides yourselves are to be affected, and of which the consequences will be wholly out of your own control."

Upon receipt of this message and bill, the Senate, on the following day, reconsidered the question, and the bill being placed upon its passage, it was carried in the affirmative and sent to the House by Charles Carroll, of Carrollton, with the following message:

"At the earnest desire of your House, we have again taken up the Bill to empower the Delegates in Congress to subscribe and ratify the Articles of Confederation. You cannot be unacquainted with the reasons which have hitherto influenced this State to withhold her assent to those Articles. It has been generally supposed, and in our opinion, upon good grounds, that the claim of this State to a proportionable part of the western country, cannot be better supported under the present form of Union than that of the Confederation. Influenced by this opinion, we have put our negative on the Bill; but being sensible that a Confederation is anxiously desired by every friend to the future happiness of these United States; and as the pressing exigency of our affairs demands the adoption of every measure that promises in the smallest degree to strengthen our cause and produce confidence and satisfaction among the several States; and as the powers given to the Delegates by the Bill, in your opinion, cannot alter or injure our claim to the Western country, but that claim may be as fully ascertained and as firmly secured after as before the Confederation; and as we rely on the justice and disposition of Congress hereafter for the establishment of our claim, and to defeat the hopes of our enemy, and to gratify the earnest desire of your House, we have returned you the Bill with our affirmative.

"We most earnestly wish this measure may be productive of all the good you expect from it, but should it be attended with ill effects, we shall be so far from imputing them to you that we shall always hold ourselves equally responsible for the consequences of this important measure, which we are satisfied is taken with the most virtuous intentions."

Maryland, though she had refused formerly to join the confederacy, had never relaxed in her exertions against the common enemy, but had cordially united with the other States in supporting the war. Yielding, however, at last, to the earnest entreaties of congress, who saw that the enemy was encouraged, and that friends were disheartened by her reserve, she hesitated no longer, but instructed her delegates in a formal manner to ratify the compact. She protested, at the same time, against any inference being drawn that she had, by so doing, relinquished her claim to a participation in the western lands, but assigned as her reason that,

"WHEREAS, It has been said that the common enemy is encouraged by this State not acceding to the confederation, to hope that the union of the sister States may be dissolved, and therefore prosecute the war in expectation of an event so disgraceful to America; and our friends and illustrious ally are impressed with an idea that the common cause would

be promoted by our formally acceding to the Confederation; this General Assembly, conscious that this State hath, from the commencement of the war, strenuously exerted herself in the common cause, and fully satisfied that if no formal Confederation was to take place, it is the fixed determination of this State to continue her exertions to the uttermost; agreeably to the faith pledged in the Union; from an earnest desire to conciliate the affection of the sister States, to convince the world of an unalterable resolution to support the Independence of the United States and the alliance with his Most Christian Majesty, and to destroy forever any apprehensions of our friends or hopes of our enemies, of this State being again joined to Great Britain, * * *

"*And it is hereby declared*, That by acceding to the said confederation, this State doth not relinquish or intend to relinquish any right or interest she hath with the other United or Confederate States to the back country, but claims the same as fully as was done by the legislature of this State in their declaration which stands entered on the journals of Congress, this State relying on the justice of the several States hereafter, as to the claim made by this State.

"*And be it further declared*, That no article in the said confederation can or ought to bind this or any otner State to guarantee any exclusive claim of any particular State to the soil of the said back lands, or any such claim of jurisdiction over the said lands, or the inhabitants thereof."

The Act of the Maryland Legislature was read in congress on February 12th, 1781, and on the 22d, the Maryland delegates having taken their seats with power to sign the Articles of Confederation, March 1st was assigned as the day for completing the confederation. Accordingly, on that day, John Hanson and Daniel Carroll, two of the Maryland delegates, in pursuance of the Act of the legislature, signed the articles, and the Union of the States was complete.[1]

At the time of the adoption of the Articles of Confederation, the pecuniary resources of Maryland appear to have sunk to their lowest point of depression. The enemy, flushed with victory under the command of Lord Cornwallis, was pushing Greene through the Carolinas towards this State, while Arnold had invaded Virginia ready to co-operate with him in overrunning the country, and form a junction with the main army under Clinton from New York. At no time of the war did the affairs of the country, particularly with respect to Maryland, wear a more threatening aspect. All the energies of the State were aroused, and all its resources called forth to meet and repel the approaching danger. The government was put into a condition to disperse, to fly, and to re-assemble in a place of safety. Every effort had been made to prevent a total bankruptcy, but without effect. The payment of all drafts upon the treasury was prohibited, that the public finances might be husbanded for the occasion. To reduce expenses, a request was sent to the General Court to adjourn, and the expected interruptions of the usual and periodical movements of judicial proceedings were provided against; and the governor was armed, for the time, with powers far beyond the temperate restrictions of

[1] Virginia ceded her western lands to the United States on October 20, 1783. The subsequent cessions and acquisitions of territory were as follows: Cession by Massachusetts, April 19, 1785; by Connecticut, September 14, 1786; by South Carolina, 1787; North Carolina, 1790; Georgia, 1802; Louisiana purchase, 1803; cession of Florida by Spain, 1819; admission of Texas, 1845; Mexican cession (Upper California and New Mexico), 1848; purchase from Mexico (Arizona), 1853; purchase from Russia (Alaska), 1867.

the newly adopted constitution. The continental treasury was empty, and Maryland seems to have been forced into an open and solemn acknowledgment of her utter inability to pay her debts for some time to come. The money of the country, under the various denominations of *provincial bills, continental bills, convention bills, State continental money, State money, black money,* and *red money,* which had from time to time been issued, and had, so far, been one of the most potent means of sustaining the cause of independence, had so sunk in value, as it increased in quantity, as to have become at length absolutely worthless, and no longer to be respected in any shape as *money.*[1]

The practice of seizure under law, had been carried as far as could be submitted to by a free people. It was estimated, that the whole amount of coin, then in Maryland, did not exceed £100,000; and that it would be impossible to collect by taxation a sufficiency to answer the demands upon the government. A committee of the delegates, in December, 1784, stated, that the great fluctuation, and inequality in the valuation, from 1778 to 1782, inclusive of the property in the State, especially of land, rendered it impossible for the legislature to ascertain the sum that any tax would produce.

For the defence of the State, and for promoting the manufacture of saltpetre and the erection of a powder-mill, the convention of Maryland, on the 26th of July, 1777, issued $266,666⅔. On the 13th of December following, they ordered $535,111⅑ more to be issued to take up the first emission, and for

[1] The following scale of depreciation is preserved:

Value of £100 *specie in Continental money.*

Months.	1777.	1778.	1779.	1780.	1781.
January	105	325	742	2934	7400
February	107	350	868	3322	7500
March	109	370	1000	3736	.....
April	112	400	1104	4000	.....
May	115	400	1215	4600	.....
June	120	400	1342	6100	.....
July	125	425	1477	6900	.....
August	150	450	1630	7000	.....
September	175	475	1800	7100	.....
October	275	500	2030	7200	.....
November	300	545	2308	7300	.....
December	310	634	2593	7400	.....

The following bill of items illustrates the price of goods and the value of Continental bills in 1781:

Captain A. McLane, Bought of W. Nicholls, January 5, 1781.

1 pair boots	$600
6¾ yards calico, at 85 ds	752
6 yards chintz, at 150 ds	900
4½ yards moreen, at 100 ds	450
4 handkerchiefs, at 100 ds	400
8 yards quality binding, 4 ds	32
1 skein of silk	10
Total	$3,144

If paid in specie, £18 10*s*.

Received payment in full for William Nicholls,

JONA. JONES.

Extracts from the letters of George P. Keeports, purchasing agent in Baltimore Town, to Governor Thomas Sim Lee, in 1780-81:

"There is about 40 dozen of excellent stockings to be had if wanting, at £185 per dozen." "I have searched the town over, and cannot find any trimmings. There may be had about two pounds scarlet, buff and blue-colored sewing silk, at £220 per pound, which is all I can find." "Mr. John Hudson has a quantity (about 600) blankets; they are very thick and a good quality, but some rather small—not more than five feet square; his price is £125 per piece." "I have bought 20 pairs of shoes, at $50 per pair, to supply the immediate wants of the recruits. I have engaged buttons for the officers with one Mr. Evans, who makes very fine buttons, and marks them with the number of the regiment and the letter 'M;' the coat-buttons at £18 per dozen, and waistcoat-buttons at £16 per dozen. Mr. Evans afterwards raised his prices to £22 10*s*. for coat-buttons, and £18 per dozen for jacket-buttons." "There may be about 800 yards more Osnaburgs had at $19 per yard, and some more shoes, by paying the money down." "Hired two wagons—all I could get in town—one at £35, and the other at £40 per day." "Pewter, $40 per pound; lead, $30 per pound; and shoes, $140 per pair."

other uses. The last convention also issued $535,111½, $120,000 of which was appropriated to take up the remainder of the first issue, still in the hands of the people. All these issues were unsupported by funds; but the conventions declared that they should be redeemed by the first of January, 1786, by taxation or other legislative provision. At the October session of the legislature of 1780, an act was passed "for calling out of circulation the quota of this State of the bills of credit issued by congress, and the bills of credit emitted by Acts of Assembly under the old government, and by the resolves of convention." By this Act bills of credit were not to pass after the 20th of March, 1780, and were redeemed by giving one dollar of a new emission supported by ample security for forty dollars of the old issues for which only the public faith was pledged. To meet the expenses of the government, the legislature, at its first session in 1777, imposed a tax of ten shillings on every £100 of property within the State. And in 1778, "to raise supplies for the current year" a tax of twenty-five shillings was imposed upon every £100 of annual income, which Act was continued for 1779. At the next session of the legislature of 1779, however, the tax was increased to forty shillings in every £100, and at the July session a "further sum of £9 15*s.* in the £100, to be added to the sixty-five shillings which are levyable under two former Acts." A treble tax was also imposed upon non-jurors. In 1780, the further sum of £20 in the hundred was levied upon all the property within the State.

Finding it impossible to bring money into the treasury in sufficient quantity to meet the exigencies of the times, the General Assembly, at their last session in the year 1780, authorized and required the payment of taxes in kind. This Act imposed a tax of thirty shillings in the £100, to be paid in fresh pork at £3 per hundred; beef at forty-eight shillings; barrelled pork, £8 10*s.* per barrel, containing two hundred and twenty pounds; wheat at 7*s.* 6*d.* per bushel; flour 18*s.* 9*d.* per short hundred; transfer tobacco at 17*s.* 6*d.*, and crop tobacco at 20*s.* per hundred; "Spanish dollars at 7*s.* 6*d.*, and gold, silver, or new bills of the emissions of this State, at their respective comparative passing value, at the time of payment."

The freemen, at this period, appear to have cheerfully paid into the treasury their last dollar; and then to have contributed with alacrity, under all the wasteful disadvantages of such a mode of contribution, a share even of their provisions, for the support of those who had taken the field in the common cause. These taxes in kind, or these "specifics," as they were called, were collected in many different warehouses and places of deposit throughout the State; and, as circumstances required, were distributed and handed over to the army, or the public creditors, or sold to raise money to meet instant and pressing demands. And it was made optional with the State officers, in the year 1782, to draw their salaries in bills of credit of the last emission, or in wheat, one of those specifics. In this condition of affairs it was impossible to fix any value upon currency; and, in fixing the governor's salary, the legislature assigned to him four thousand five hundred bushels of wheat per year.

Such was the general pecuniary and fiscal poverty and embarrassment of the first years of the republic, that at the April session of 1782, an Act was passed declaring that no suit should be brought for the recovery of any debt unless the debtor had neglected to pay interest, or had refused to deliver any property he might have for sale to his creditor, in payment, at a fair valuation; and further, that the time from thence until the first of January, 1784, should not be estimated in the limitation to the prosecution of suits.

In 1780, an Act was also passed by the legislature to receive the "Black State," and "Continental State" money, at the rate of two dollars for one silver dollar, being its current valuation, but should it appreciate, the commissioners of the currency were to ascertain the rate at which it should be received. In 1781 the black money was received at the rate of three to one, and the red was received for taxes, dues, fines and forfeitures, at par. At the same time a tax of 45*s.* was imposed on every £100 worth of private property. For this tax, red money was receivable at par, black at two for one, Continental State, at three for one, and none of these, when paid into the treasury, were to be re-issued. A commissary-general was appointed to take care of the public specifics, and transport them agreeably to the orders of the governor. He was also required to appoint at least one deputy in each county.

As before stated, in the campaign of 1781, the citizens were destitute of a proper circulating medium, and the State wanted means to carry on the war. The sum of £200,000 was directed to be issued in bills of credit, redeemable within four years. British property, to the amount of a much greater sum, was appropriated for its redemption, and a great part of it immediately sold; private property was likewise mortgaged. At the time of passing the Act, most of the members of the assembly entered into a solemn obligation to receive the bills as specie, so far, at least, as their subscriptions amounted to. Subscription-papers were also circulated in all parts of the State, the subscriber's estate being considered to be pledged for his subscription. In all the counties public meetings were held, and in some, committees appointed for the purpose of supporting the issue.

In spite of all these precautions, the bills of credit, within three months after their emission, depreciated 100 per cent. In the same year the general assembly passed "an Act to declare what foreign gold and silver coin shall be deemed the current money of the State." [1]

In 1782, the taxes were reduced from 45*s.* in the £100 to 30*s.*, five of which were to be paid in specie for the use of congress. The Intendent was

[1] By this Act, the rates of gold and silver coin were: Johannes, weighing 18 dwt., £6; Half Johannes, £3; Moidores, weighing 6 dwt. 18 gr., £2 5*s.*; English guineas, weighing 5 dwt. 6 gr., £1 15*s.*; French guineas, weighing 5 dwt. 5 gr., £1 14*s.* 6*d.*; Doubloons, weighing 17 dwt., £5 12*s.*; Spanish pistoles, weighing 4 dwt. 6 gr., £1 8*s.*; French milled pistoles, weighing 4 dwt. 4 gr., £1 7*s.* 6*d.*; Arabian chequins, weighing 2 dwt. 3 gr., 13*s.* 9*d.*; other gold coins (German excepted), by the pennyweight, 6*s.* 8*d.*; English milled crowns, 8*s.* 4*d.*; other English milled silver, at same rate; French silver crowns, 8*s.* 4*d.*; Spanish milled pieces of eight, 7*s.* 6*d.*; other good coined Spanish silver, per ounce, 8*s.* 6*d.*; any other gold coin of the same fineness (Spanish or Portugal), per ounce, £6 13*s.* 4*d.*

required to sell wheat or tobacco to the amount of £50,000 specie, for the use of congress; and he was authorized to borrow £30,000, and pledge the 5*s.* tax as security. In 1783, a tax of 25*s.* in specie was imposed on every £100 worth of property; one-half to be collected by distress or sale after the 20th of May, unless 10*s.* thereof was paid by the 1st of March in fresh pork, at 27*s.* 6*d.*; barrelled pork at £4. 10*s.* for each barrel containing 220lbs.; wheat at 5*s.* 3*d.*; new crop tobacco at 19*s.* and an allowance of 4 per cent. for casks; or fine barrelled flour at 15*s.* the short hundred, and an allowance of 3*s.* for the barrel. The other half of the taxes was to be collected in like manner, on or before the 15th of September. One-fifth of the specie collected by this Act was appropriated to the use of congress; the residue to the support of the civil list; and the money arising from the sale of specifics was to be applied to the discharge of interest on specie certificates. To raise supplies for 1783, a tax of 15*s.* was imposed on every £100 worth of property.

By the Act of November, 1781, Daniel of St. Thomas Jenifer, was appointed Intendent of the Revenue, or treasurer of the State. He was continued in this important trust by successive acts of the legislature until 1785, when the office expired. His principal duties were to inspect and take account of all the State revenues; superintend and control the officers concerned in its collection; to examine all public debts; to examine all contracts; to inspect and keep an account of all State expenditures; to pass all accounts, and no money was drawn out of the treasury except by his order. He was, however, to consult the governor in management of the finances of the State.

Another department of finance was that administered by the commissioners of confiscated estates.[1] In the years 1781-'2,-'3, a great amount of confiscated property was sold; most of it being thrown on the market, to meet the most pressing and important public needs. It was disposed of under a variety of Acts of Assembly, upon different terms of payment, for the redemption of various issues of paper currency and State securities, and to raise ready money for the immediate demands and uses of government. The whole was sold at public auction, except in a few instances, where the commissioners had the consent of the "Intendent," to make private sales. In 1782, a considerable quantity of confiscated estates was sold on short credit, to raise money for the recruiting service, then under the superintendence and direction of Major General Smallwood, and also for the protection of the bay shores. This property consisted of real and personal estates, and was sometimes sold in small lots to many different persons, some of whom paid in cash, others with their bonds. The bonds were made payable to General Smallwood, and the cash was paid into the State treasury.

[1] This Board was organized in February, 1781, with Colonel Uriah Forrest, Clement Hollyday, and Colonel Nathaniel Ramsey, as commissioners. In July following, Colonel Forrest resigned, and Gabriel Duvall was appointed to fill the vacancy. From this time, the business was transacted, until November, 1782, when Mr. Duvall resigned to accept a seat in the council. Messrs. Hollyday and Ramsey continued the duties of the office, until the resignation of the latter some time in August or September, 1784, when Mr. Duvall was reappointed. The business was finished by Messrs. Hollyday and Duvall in 1785.

About the close of the year 1783, there being every reason to hope for a rapid restoration of a sound circulating medium with which the taxes might be paid and the treasury replenished, the law allowing the payment of taxes in kind was abolished, and the "specifics" on hand were ordered to be sold.

During the years 1781 and 1782, the Chesapeake Bay was infested by numerous refugee barges and privateers, which were committing extensive depredations not only upon the commerce of Baltimore, but upon the peaceable inhabitants along the shores of every accessible stream that emptied into the bay. In many cases the enemy were not satisfied with pillaging the inhabitants, but often landed and reduced their property to ashes. In order to drive off these plunderers—who were often supported by the presence of British ships of war—and to give their farms the protection which was not in the power of the State or continental government to afford, the distressed citizens of the Eastern Shore determined to fit out, at their own expense, a number of armed vessels, the operations of which were to be confined along the shores of their own property.

With this view a number of the farmers on the Eastern Shore early in 1782, entered into the following agreement to equip and maintain at their own expense, a barge and a boat, manned by twenty men, with the necessary officers, to cruise between Kent Point and Tilghman's Island.

"WHEREAS, The enemy have fitted out a number of small vessels to ravage and plunder our farms and plantations which lie on the water, and have lately plundered many of our countrymen, and burnt and destroyed their houses, threatening the like destruction wherever they shall be able to effect it with security; and whereas, from the present exhausted state of the public treasury, government cannot immediately give that protection to every individual, which is become necessary from the cruel, savage mode in which the war is now carried on against us; and whereas, a water defence is the best and most effectual way of preventing those surprises, depredations and ravages, and individuals have built and offered boats for such purpose,—

"We, the subscribers, do agree to support and maintain the barge *Experiment*, and ——— boat for two months, and man the same with twenty men, exclusive of necessary officers. The said boat and barge to be stationed in the Eastern Bay, and to cruise occasionally between Kent Point and the Honorable Matthew Tilghman's Island. And we agree to pay all charges, expenses in proportion to the several assessments of our property lying in the counties where we respectively reside. In witness whereof, we have hereunto set our hands:

"Matthew Tilghman, James Hindman, William Paca, Peregrine Tilghman, Edward Lloyd, William Hemsley, William Hindman, L. Benson, Robert Goldsborough, Jr., John Dawson, Eliza Hindman, Ann Maxwell, Harriot Callister, Robert Newcome, James Barrow, James Earle Denny, James Keitly, Thomas Tibbets, Thomas Applegarth, Henry Tibbets, Thomas Barrow, John Nesmith, James Tilghman, James Hewes, William Watts, Francis Morling."

This plan continued for some months, when the enemy increased their force to two or three small armed vessels and barges, which caused the State to adopt measures for her protection. The general assembly, in May, 1782, resolved to equip and man four additional barges to their naval force, mount-

ing two guns each, and carrying in all two hundred and fifty men. And to induce the co-operation of Virginia in the matter, they sent Robert Hanson Harrison as commissioner to that State.

These vessels were fitted out, but did not suppress the daily outrages upon the farmers and inhabitants of the State, residing along the shores of the bay and rivers. To procure the assistance of the merchants of Baltimore in providing a sufficient force to rid the waters of Maryland of these depredators, Governor William Paca, on the 19th of February, 1783, addressed them the following letter:

"You cannot be strangers to the depredations daily committed by the enemy in our Bay. Not content with interrupting our trade, they are guilty of the most wanton destruction of property on the shores. Unfortunately for the people who are exposed to their ravages, there is no force belonging to government able to oppose them. Were our barges completely manned and fitted, they would be quite insufficient for the purpose, and the State ship building by Mr. Steward cannot be finished in any reasonable time. Under these disagreeable circumstances we are compelled once more to put the patriotism and public spirit of the merchants of Baltimore Town to the proof. We understand they have generally determined not to send out their shipping until the result of the negotiations carrying on in Europe is known; and we therefore flatter ourselves they will be able, without injury to themselves, to afford us the aid we have to solicit on the present occasion, which is to lend three armed sloops or schooners of eight or ten guns, and upwards, completely manned, and one hundred and fifty men over and above the crews of these vessels for one month, if their services should be so long wanted. We want the one hundred and fifty men to man three barges belonging to the State, which are now at this place. We propose that the armed vessels and barges shall be commanded by such officers as the merchants shall appoint. From the best information we can obtain, there are thirteen barges, one sloop, and two schooners belonging to the enemy, now in the Bay. Their largest vessel mounts ten guns; the greater part of their barges, we apprehend, are small; and we think the force we have mentioned, added to the *Polecat*, which we expect to get, will be quite sufficient to drive them out of the Bay; but if we should be disappointed in the *Polecat*, we shall in that case, be under the necessity of requesting one more sloop or schooner; and that no time may be lost, we beg you will be so obliging as to consult Commodore La Ville Brune on this subject. The whole of the prizes taken by this equipment, shall be divided among the crews, agreeable to the practice in like cases; and we will agree to pay the men, at the end of the cruise, at the rate of three pounds per month, and the inferior officers in proportion; the commanding officer £20 and the other Captains £15. The Lieutenants £10 per month besides furnishing them with a sufficient quantity of good provisions and liquor. As for the sloop, or schooners, we will agree to pay for them if it should be required, such price as you shall agree upon, by the month, and will engage that the value of them shall be paid to the owners in case of loss or capture; and any damage they may sustain, shall be repaired at the public expense. We need not add that the utmost dispatch is essentially necessary in this business. Whaland has taken post with a considerable force, and is building barracks at Cage's Straits, and there are vessels now in Patuxent doing great damage. The warehouses all over the State are in the greatest danger. We send an express with this, and we hope to hear from you by his return."

The merchants of Baltimore immediately responded favorably to the governor's request. The governor, however, upon examining his powers in the

matter, found that he had no authority to fit out such an expedition, and on the 21st of February, had recourse to General Washington. In his letter to the commander-in-chief, Governor Paca says:

"From the letters which lately passed between your Excellency and General Carleton, and from the speech of the British King to his Parliament of the 5th of December last, there is some reason to think that orders have been given by the British crown prohibiting offensive operations on the Continent. Under this impression, we beg leave to inform your Excellency that if such orders were ever given, they have been most shamefully violated by the enemy's barges and armed vessels in the Bay of Chesapeake. There are now in the Bay eleven barges and one sloop, and two schooners, who proceed in detached parties, not only capturing our vessels, but landing on our shores, and wasting and plundering the property of the people of this State. On Thursday last a party under the command of Whaland, went up the Patuxent, plundered the town of Benedict, and burnt and destroyed the dwelling house and out houses of Mr. Benjamin Mackall, with his furniture, tobacco and other moveable property; Colonel Plater was also plundered of some of his negroes. Another party, the day before yesterday, consisting of five barges and a sloop, came as high up as Kent Point, nearly opposite to this City, and were cruising, by last accounts, in the Eastern Bay and about Poplar Island. The most of their barges keep about the Tangier Islands, and from thence make excursions up the rivers on the Eastern Shore, robbing and plundering on the shores.

"The intention of this address is to possess your Excellency with information of the enemy's conduct and operations in this State, in order that, if your Excellency should be of opinion that such outrages are not authorized by the British crown or his officers, your Excellency may be enabled to make such a communication to the British General and Admiral as your Excellency may consider proper and likely to put a stop to further depredations."

On the 21st of March, 1783, an expedition was fitted out by the State and placed under the command of Captain John Lynn, to capture one of the rendezvous on Devil's Island, one of the upper Tangier Islands. The State force consisted of a small schooner and two barges, manned by about sixty sailors and twenty soldiers, the latter under the charge of Captain Delisle, a French gentleman "of great bravery." The result of the expedition was successful, as they captured a large quantity of the enemy's plunder, and it is supposed some of their barges.

In many instances, during the War of the Revolution, the little fleet of Maryland did good service in the transportation of military supplies from point to point in the Chesapeake for the use and benefit of the continental forces, and often lent their aid in the numerous military expeditions that were fitted out in Maryland and Virginia. Congress occasionally borrowed vessels of the State, usually with their officers and crews, several of which made voyages to the West Indies on account of the United Colonies. In accordance with a resolution of congress passed on the 2d of September, 1778, the brigantine *Friendship*, Captain Thomas Parker, the sloop *Susannah*, Captain Davis Hatch, and the sloop *Hannah*, Captain Paul Hussey, were loaded in Maryland with flour and grain, and on the 16th of September, sailed for the New England States. In November, the schooner *Swan*, Captain Styles, with a similar cargo, also sailed for Boston. On December 11th, the sloop *Ranger*, Captain

David Sowle, sailed from Maryland, loaded with flour for Dartmouth, Massachusetts. On November 9th, 1779, the sloop *James*, Captain Shadrack Ames, conveyed a cargo of flour from Baltimore to Virginia; and on the 24th of November, the sloop *Molly*, Captain Peregrine Dunk, also sailed to Virginia loaded with flour, and a number of others were fitted out with supplies for the French fleet. On April 27th, the schooner *Hazard*, Captain Perkins, loaded with flour, sailed for Portsmouth, New Hampshire.[1]

Sir Henry Clinton, the commander of the British forces in America asked to be relieved of his command, and early in May, 1782, Sir Guy Carleton arrived in New York to take his place. On the 7th of May, he informed Washington of his arrival, and that he was authorized, with Admiral Digby, to negotiate a treaty of peace. At the same time a bill was introduced in parliament to enable the king to conclude peace or truce with the "revolted colonies." As soon as this intelligence was communicated to the General Assembly of Maryland, it unanimously adopted the following resolutions:

"*Resolved, unanimously*, That it is the opinion of this State that peace with Great Britain and all the world is an object truly desirable, but that war with all its calamities is to be preferred to national dishonor. That it is the sentiment of this State that any negotiations for peace or truce, not agreeable to the Alliance with France, is inadmissable; that every danger ought to be encountered, every event hazarded, rather than sully our national character, or violate, in the least degree, our connection with our great and good ally, and that good faith, gratitude and safety forbid any treaty for peace or truce with Great Britain, but in conjunction with France, or with her consent first obtained.

"*Resolved, unanimously*, That this State will exert all its power to enable Congress to prosecute the war until Great Britain renounce all claim of sovereignty over the United States, or any part thereof, and until their independence be formally or tacitly assured by a treaty with Great Britain, France and the United States, which shall terminate the war."

[1] In March, 1783, the governor and council, on being informed that about one hundred and fifty Maryland soldiers were confined on one of the Jersey prison ships, at New York, "suffering every kind of distress that nakedness, want of necessaries and sickness could occasion," to relieve their sufferings, sent 2,500 bushels of corn and 250 barrels of flour, in two or three small vessels, under a flag of truce, to New York, where it was to be sold and the proceeds invested in the necessary articles which they were mostly in need of. Having the consent of congress to relieve the necessities of her suffering soldiers, and the permission of the British authorities in New York that "vessels with produce for the above purpose would be received," the vessels started on their mission. On the 17th of March, 1783, one of these vessels, a bay sloop, commanded by Captain Henry Geddis, was boarded near Egg Harbor by a privateer schooner mounting six guns and commanded by Captain Oliver Reed, of Newport, Rhode Island. The captain of the privateer represented that the Maryland sloop was carrying on a clandestine trade with the enemy, and notwithstanding she had proper passports, after plundering the vessel of such articles as he thought proper, put a prize-crew on board, and sent her for condemnation to Newport.

As soon as this high-handed and piratical proceeding was laid before Governor Paca, he considered it "highly reprehensible and injurious to the honor and dignity of the State," and on the 19th, immediately addressed a letter to the Governor of Rhode Island, in which he said: "The intention, sir, of this address is to possess your executive with a knowledge of this transaction, and to vindicate it from the imputation of an improper commerce with the enemy, and we must beg your interposition, so far as to make it request to your attorney-general to attend your Admiralty Court on this business, and support this State in common with the States in the Union, to grant a flag for the purposes we granted one to Captain Geddis. We hope our citizens will never act so rashly as to disregard the flags of your State; but, if any such outrage should be committed by them, we beg you to be assured every step shall be taken that our law and constitution authorizes to vindicate your national rights."

As peace was declared shortly afterwards, the matter was probably amicably settled between the two States.

At the same time, to show further their appreciation of the services of France, the two houses, on the announcement of the birth of a Dauphin of France, requested the governor to appoint, by proclamation, a day for the celebration of that auspicious event. On the 13th of June, Governor Lee issued his proclamation, in which he said:

"I cannot doubt that the citizens of this State will unite in the joy which an occasion so nearly affecting the happiness of our ally will not fail to inspire, while they experience a new source of satisfaction on the birth of a prince from whom we have every reason to expect a continuance of the blessings of our alliance—the same lively attention to the injured and oppressed, and all those great qualities which have excited our admiration and gratitude, and which so eminently distinguished his illustrious father."

The day selected by the governor was celebrated in Baltimore by an elegant dinner, provided at a place called the "Independent Spring," at which were present the Chevalier D'Amour, the French consul, and a number of strangers and French gentlemen. After dinner, many toasts were drunk, and the entertainment was closed with that harmony and good humor which, in a peculiar manner, distinguished the day. This was in honor of the unfortunate Louis XVI., the victim of the subsequent French Revolution.

COUNT DE ROCHAMBEAU.

In the meanwhile, as the sickly season was approaching in Virginia, Count de Rochambeau put his troops under marching orders about the 1st of July, and arrived at Baltimore about the end of the month and encamped in Howard's Park, on the ground where the Cathedral now stands. On the 4th of August, the French forces in the city, numbering about five thousand men, were reviewed by Governor Lee, Count de Rochambeau, several distinguished strangers and a large number of citizens. On the 10th, Count de Rochambeau, accompanied by Count Dillon and several other French officers of distinction, visited the governor at Annapolis, where they were received with the greatest hospitality. On the 11th, the governor and council presented Rochambeau with the following address:

"It is with singular pleasure that the Executive of Maryland embrace the opportunity afforded by your arrival in this city, of offering your Excellency every mark of esteem and respect.

"Accept, Sir, our warmest thanks for the distinguished part you sustained in the reduction of York; to the wisdom of your counsels, the vigor of your conduct, the bravery of the troops under your command, and to the judicious exertions of the gallant Count de Grasse, the success obtained by the allied army is, in a great degree, to be attributed.

"We are happy to assure your Excellency that the people of this State, deeply interested in every event which can promote the felicity of your illustrious monarch or his kingdom, received with the most lively demonstrations of joy the account of the birth of a dauphin: that the young prince may emulate the virtues, and inherit the dominions of his royal father, and that the union, founded on the most generous equality and cemented by the blood of both nations, may endure forever, is our fervent wish: the incidents of

war have only more strongly united our affections, and, we doubt not, that the ancient spirit of France, with her numerous resources, will soon humble the pride of our common enemy.

"The ready protection afforded by your Excellency to the commerce of Maryland, demands our grateful acknowledgments; the decorum and exemplary discipline observed by your troops on their march through the State, have given entire satisfaction to our citizens; our duty and inclination will prompt us to do everything in our power for their convenience, and we request your Excellency to communicate to the generals and other officers of your army the high sense we entertain of their merit, and the affection and regard we have for their persons and characters."

Count Rochambeau answered as follows:

"*Annapolis, August 11th, 1782.*

"To his Excellency the Governor and the honorable Council of the State of Maryland.

"I am very sensible of the marks of friendship and affection that I receive from his Excellency the governor and the Honorable Council of the State of Maryland.

"If we have been happy enough to contribute towards the success of their arms, under our commander-in-chief, his Excellency General Washington, we receive the most flattering marks of approbation, by the very cordial reception the French army meet with from all the inhabitants of this State.

"The great joy and interest they have been pleased to show on account of the birth of the dauphin, will undoubtedly be very agreeable to the king, my master; he will be equally flattered at the warmth with which the State of Maryland support their alliance, and wish it to be lasting.

"The strict discipline of the troops is the least mark of gratitude that we could give to a State from which we receive so many proofs of attachment and friendship.

"I have the honor to be your obedient and most humble servant,

"LE COMPTE DE ROCHAMBEAU."

On the 22d of August, the greater portion of the French forces who had been encamped in Baltimore for several weeks, marched northward, in five divisions. They were, besides the cavalry and infantry of the legion of the Duke de Lauzun, the regiments Bourbonnois, Deux Ponts, Saintonge and Soissonnois. On the 24th, Count de Rochambeau, after addressing the following letter to the merchants of Baltimore, left for Philadelphia:

"*Gentlemen:*—It cannot but be very agreeable to me and the troops under my command, to perceive that the discipline observed by them is appreciated by the inhabitants of this city, as it secures the harmony and good understanding which we have always been anxious to maintain with our allies. Your willingness to receive us in your houses, your attentive politeness to us, have been a sufficient return for the services which we have been so happy as to render you. We have had our full reward, in fulfilling to our mutual satisfaction, the intentions of our sovereign. "LE CTE. DE ROCHAMBEAU."

After the departure of the main army, there remained about five hundred French troops in the town, under the command of General La Valette.

At this time the army of General Greene was in the greatest distress for the want of clothing and other necessary articles. Governor Lee, hearing that there were one hundred hogsheads of clothing in Philadelphia which could not be forwarded for the want of necessary means of transportation, wrote to Robert Morris, on the 5th of July, 1782, "that we will undertake to furnish money for the transportation of them from the head of Elk, if they cannot be otherwise forwarded immediately, although to do this, we shall be

obliged to sell specific or other property at less than half of its value." In reply to this liberal offer, Robert Morris, on the 9th, returned his "sincere thanks," and observes that "the dilatoriness which has been shown by almost all the States, in granting supplies required by congress," will necessitate him to rely, to a great extent, on Maryland. In this connection, he adds: "I shall rely upon receiving considerable supplies of money from Maryland, in the course of the present month, and shall, in consequence, make engagements," . . "equally pressing and essential." He did not rely upon the promises of Maryland in vain, for, notwithstanding her poverty, she furnished to the continental army, from the 1st of January, 1782, to the 1st of October of the same year, £45 49*s.* 19*d.* in specie; 816 cwt. of flour; 105,500 lbs. of tobacco, and 76,162 rations.

The Chesapeake was still infested by tory and refugee barges, which plundered the farm-houses, carried off, and sometimes murdered the inhabitants. The State fitted out an additional number of galleys and barges, but could not effectually put a stop to these outrages. On the 5th of July, Captain Simmons, in the brig *Ranger*, going out of the Potomac, beat off and killed Barry, and wounded Whaland, two famous bargemen. On the 30th of November, three of the barges attacked the enemy and killed Whaland, and killed and wounded sixty-five out of seventy-five men. The survivors being without small cartridges (their supply having taken fire early in the action), were captured with the State's galley. This was the most bloody action of the war, in proportion to the numbers engaged.

In consequence of the great suffering of the Maryland troops in the southern army, Brigadier General Otho H. Williams, on the 7th of July, 1782, addressed the following letter to Governor Lee:[1]

"My attachment to the service of my country, and the interest I feel in whatever concerns the honor and happiness of my fellow-soldiers, are the only considerations which induce me to communicate to your Excellency the complaints of the Maryland Line now with the Southern army.

"It is known and acknowledged that the troops of this State, ever since the commencement of the Revolution, have participated in the greatest fatigues and perseverance, and that in the extremity of their sufferings their complaints have always approached the ear of civil authority with humility and respect.

"It is also known that since the Maryland troops have served in the Southern States (which is now more than two years), they have upon the most arduous occasions given the highest satisfaction to the Generals who have successively commanded the Southern army, and particularly to their present enterprising commanding officer, General Greene, under whom they have performed the most gallant services. And that they are the *only* troops who have constantly kept the field under every difficulty, since the spring of 1780, without a shilling of pay real or nominal, without a supply of clothing at any time equal to their necessities; and without any other subsistence than what, with the assistance of the rest of the army, they have occasionally collected by force of arms, in a country once entirely in subjection, and in a very great degree attached to the enemy.

[1] General Greene, having recommended Colonel Williams for promotion, congress, on the 9th of May, 1782, "*Resolved*, That, in consideration of the distinguished talents and services of Colonel Otho H. Williams, he be, and hereby is, appointed a brigadier-general in the army of the United States."

"No distresses, no dangers have ever shaken the firmness of their spirits, nor induced them to swerve from their duty. They have a long time patiently suffered the neglect of their country, not without murmuring, it is true, but without mutiny or disaffection to a cause which they are endeavoring to maintain with their blood. But what man or body of men will long forbear to express their apprehensions of injustice when they find some of their companions disbanding themselves and receiving a compensation for past services; and others reinlisted, or new levies, in the same service, receiving large bounties in specie, for three years, which they who have already served twice that time have never received nor expected; and that every corps by which they have been reinforced, from time to time, has received more or less cash for pay, subsistence, &c., before they could be induced to march from the State in which they were incorporated.

"A part of the troops now with the Southern army has, I am well informed, received pay for several months, and some corps belonging to the Northern army have received pay from the States in which they were raised.

"These considerations, and similar ones which might be added, will and do naturally occasion jealousies which may in their consequences produce very unhappy effects.

"I would not be understood to insinuate that the officers have not virtue enough to submit to every species of neglect, injustice, and partiality that can be imposed, sooner than concur in anything fatal to the community they serve; but the common soldiers who are men of less consideration, will compel them to waive the exercise of their authority, or reduce them to the unhappy necessity of maintaining a slavish discipline by examples dreadful to humanity.

"I therefore most humbly solicit, in behalf of both officers and soldiers, that your Excellency, with the concurrence of your Council, will be pleased to address the honorable the Congress to instruct the minister of finance to appropriate a part of the specie tax to be levied in this State, to the payment of the Maryland troops; and that the same may be put into the hands of a proper person for that purpose, as soon as it is collected.

"I cannot doubt, if this should be granted, and the good people of Maryland should be advertised of the purpose for which the money is to be raised, that speedy voluntary payments will anticipate the necessity of executing property for the tax according to the Act of Assembly, and prevent those calamitous consequences that may attend a continuance of their grievances."

Governor Lee, who had so ably discharged the important duties of his office for three years, being ineligible for re-election under the constitutional limitation, William Paca and Daniel of St. Thomas Jenifer, were nominated in the legislature, and the former was elected. The distinguished services of the late governor were recognized by both Houses of the legislature in the following address presented on November 22, 1782:

"The faithful execution of the trust reposed in you as First Magistrate of the State, together with your genteel and polite deportment towards all ranks, have given general satisfaction, and justly claim our warmest acknowledgments.

"Your close attention to the public welfare, and your firm, unshaken conduct in the time of greatest danger, are proofs that the confidence of your country has not been misplaced; and your strict regard to the requisitions of Congress and of the commander-in-chief, and the polite treatment of the officers of His Most Christian Majesty, has done honor to the State. Accept, sir, this public testimony of our approbation, and our sincerest thanks for the zeal, activity and firmness with which you have so faithfully discharged the duties of your station."

Mr. Samuel Chase, on the part of the House, and Mr. Matthew Tilghman on the part of the Senate, were appointed a committee to present the address to the governor, who responded as follows:

"*Annapolis, November 23d, 1782.*

"*Gentlemen:*—I feel myself happy in having executed the powers entrusted to me, to the satisfaction of my country.

"That my conduct in times of danger, and my attention to the resolves of Congress and the requisitions of the Commander-in-Chief, should receive the approbation and thanks of the honorable body over whom you preside, excites the most pleasing ideas, with the warmest emotions of gratitude.

"It gives me pleasure, that the treatment with which I distinguished the officers of his Most Christian Majesty has attracted the notice of the General Assembly. If my endeavors to support the dignity of my station have exceeded the strict bounds of economy, I was influenced by a zeal for the honor of my country, and a desire of evincing the esteem and affection which this State entertains for its illustrious ally and his generous subjects; and I did not fail to assure them, that I could not otherwise comply with the expectations of my countrymen.

"I have the honor to be, with the most respectful attachment, gentlemen, your most obedient and humble servant, "THOMAS S. LEE.[1]

"THE HON. GEORGE PLATER, *President of the Senate.*

"THE HON. THO. COCKEY DEYE, *Speaker of the House of Delegates.*"

On Sunday evening, January 5, 1782, Count Rochambeau with his suite arrived in Annapolis from the north, and on the 8th embarked on board the French frigate *L'Emeraude*, for France. Previous to his departure, the General Assembly presented him with an address expressing the thanks of the people of Maryland for his eminent services, to which he made the following reply:

"I receive with great gratitude the marks of esteem and friendship that you are so good as to bestow on me and all the French army. If we have been happy enough to co-operate for the advantage of your country, in the different positions in which we have been with the American army, under the orders of his Excellency General Washington, we have only filled the pure and generous intentions of the king our master towards his allies; but we acknowledge likewise, with the greatest satisfaction, that the State of Maryland in all the occasions that the army has passed through it, has not only been ever ready to furnish it with all the things belonging both to war and their own daily consumption, but that the French troops have been received with that cordiality, friendship and hospitality, which could only be bestowed upon allies that are both beloved and esteemed. I beg of you, gentlemen, to receive kindly all the assurances of the eternal gratitude that I and the troops which I have had the honor to command, will entertain of all your favors."

On November 18, 1781, General Greene struck his tents on the hills of Santee, and pushed towards Dorchester, about fifteen miles northwest of Charleston, Colonel Steuart falling back before him. When near Goose

[1] Thomas Sim Lee was again governor in 1792-4. He was also a delegate to the Continental congress in 1783-4, and a member of the convention which ratified the Constitution of the United States. He died at Medwood, Frederick County, Virginia, on November 9, 1819, in the seventy-fifth year of his age.

Creek Bridge, about eight miles from Dorchester, Greene placed his main army under Colonel Williams, with instructions to continue the march southward, while he, with a detachment of the Maryland and Virginia infantry, and a portion of Lee's and Washington's cavalry, made an effort to capture the garrison of eight hundred and fifty men in charge of Dorchester. Intelligence of his movements having been communicated to the enemy, they destroyed their stores, etc., and retreated in all haste to Charleston. On the 7th of December, Williams, with the main army, halted at Round O, where he was joined on the 9th by General Greene; and on the 4th of January, 1782, St. Clair and Wayne, with the Pennsylvania and Maryland troops, overtook them, after a long and weary march. On the 11th of July, the enemy evacuated Savannah, the regulars going to Charleston, and the loyalists, under Brown, taking refuge in Florida. Late in August, the enemy sent out a foraging fleet from Charleston, to collect provisions, and General Gist, with his brigade, composed of the cavalry of Lee's legion, the 3d and 4th Virginia regiments united, under Colonel Baylor; the infantry of the legion; the dismounted dragoons of the 3d regiment; the Delaware battalion, and one hundred men detached from the Maryland Line, commanded by Major Beale, was ordered immediately out to protect the Combahee District. On the 27th, Colonel Laurens, who was hastening to join him, met the enemy, and in a slight skirmish, was killed. General Gist, anticipating the danger to which Laurens was exposed, marched to his relief, and compelled the enemy to embark with slight loss. As soon as the enemy crossed the bar of Beaufort harbor, General Gist moved back to reinforce the main army, and his brigade was not again engaged during the war. Captain Wilmot, of Maryland, however, with a small force, still continued to guard John's Island, and watch the passage by the Stono; and his love of adventure led him occasionally to cross the river and harass the enemy on James Island. In one of these expeditions, undertaken in conjunction with Kosciuszko, against a party of the enemy's wood-cutters, on the 14th of November, 1782, he fell into an ambuscade, was himself shot dead, and Lieutenant Moore, his second in command, and a servant, severely wounded and made prisoners. "This was the last bloodshed," says Johnson, "in the American War."[1]

General Greene, having now regained all South Carolina except Charleston, the Maryland Legislature, on the 15th of January, 1783, in consideration of his services, adopted the following address, which was transmitted to him by the Speaker of the House and the President of the Senate:

"The General Assembly of Maryland convened, think it their duty to give a public testimony of their sense of the services you have rendered the United States. This State in particular, feels obligations which can never be done away. You stopped the career of a victorious army; you defeated their army in pitched battles; you captured their garrisons; you recovered countries they had overrun, persevering through all these scenes amidst wants which enervate courage and destroy life, nor relaxing till Charles Town is

[1] *Life of Greene*, ii., p. 345.

abandoned, and the whole Southern States freed from the enemy. Every day affords fresh subject to admire General Washington, whose penetration discovered your abilities, and to whose wisdom we owe your appointment.

"You have soldiers in your army, who have shared in all your fatigues, and partook of all your dangers. They are citizens of this State whom patriotism called into the field. We have to request that you may report to them the sentiments of this General Assembly, our feeling for their meritorious conduct, and the anxiety we must experience, till it shall be in our power to show every soldier some more substantial proof of our attention to their sufferings and services."

At this time great discontents prevailed in the army, among both officers and men. The neglect of the States to furnish their proportions of the sum voted by congress for the prosecution of the war, had left the army almost destitute. There was scarce money enough to feed the troops from day to day; in fact there were days when they were without provisions. The pay of the officers and men was greatly in arrear, and fears were entertained whether they would ever receive their back pay; and in the event of peace they would be cast upon the community penniless, many broken in health, and unfitted, by long military habits, for the pursuits of peace.

At this juncture the long wished-for news of peace arrived. A general treaty had been signed at Paris on the 20th of January. An armed vessel, the *Triumph*, belonging to the squadron of Count d'Estaing, arrived at Philadelphia from Cadiz, on the 23d of March, bringing the intelligence from General Lafayette to the President of Congress. In a few days, Sir Guy Carleton informed Washington that he was ordered to proclaim a cessation of hostilities by sea and land. On the 12th of April, the intelligence was communicated to Governor Paca by the President of Congress in the following letter:

"*Philadelphia, 12th April, 1783.*

"SIR:—Permit me to offer you my congratulations on the important event announced by the United States in congress in the enclosed Proclamation for the cessation of hostilities; an event which is not only pleasing, as it relieves us from the accumulated distresses of war in the bowels of our country, but as it affords the fairest and most flattering prospects of its future greatness and prosperity.

"I need not, I am persuaded, sir, use any arguments to urge your Excellency and the State in which you preside, to the most scrupulous attention to the execution of every stipulation in our Treaty which may depend you or them.

"A national character is now to be acquired. I venture to hope that it will be worthy of the struggles by which we became a nation.

"I have the honor to be, with great respect and esteem,

"Your Excellency's most obedient, humble servant,

"ROBT. R. LIVINGSTON."

On the 22d of April, Governor Paca, in pursuance of the recommendation of congress, issued his proclamation declaring the cessation of arms by sea and land, and enjoining obedience to the treaty, and appointing Thursday, the 24th of April, as a day of public rejoicings. On the 25th, the governor also addressed the following circular letter to the sheriffs of the several counties:

"*In Council, Annapolis 25th April, 1783.*

"SIR:—We beg leave to congratulate the good people of ——— County upon the glorious event of a general cessation of hostilities among the powers of war, which their virtuous exertions have so greatly contributed to bring about; and we desire you will announce it to them on an appointed day by reading to them, in the most public place, the enclosed proclamation."

On the 21st, the joyful news of peace and independence was celebrated in Baltimore with great enthusiasm. At night the town was brilliantly illuminated and many patriotic toasts were drunk. In Annapolis a temporary frame building, capable of holding several thousand persons, was erected on "Carroll's Green," "thirteen pieces of artillery were planted opposite, and an elegant and plentiful dinner was provided." The Maryland *Gazette* says:

"The proclamation of his Excellency's command being read by the High Sheriff and thirteen cannon discharged, to announce the glorious and ever memorable event, the gentlemen then retired to dinner, at which were present his Excellency the Governor, the Honorable Council, many members of the Senate and Delegates of Assembly, and a great number of gentlemen, both Town and Country, who, with unfeigned satisfaction, congratulated each other on the blessings of Peace—the rising glory of their country—the prospects of her commerce, her future grandeur and importance in the scale of nations."

After the dinner thirteen patriotic toasts were drank, each attended with the discharge of thirteen cannon. At night the State House was beautifully illuminated, and an elegant entertainment was given to the ladies at the ball-room. At Frederick, Upper Marlboro', Chestertown and other large towns of the State, the joyous news was celebrated with great enthusiasm.

The close of the war, which had found Maryland prosperous in material wealth, left her impoverished and deeply in debt. But it had also found her a dependent colony, and it left her an organized, independent and sovereign republic, mistress henceforth of her own destinies. The future was still doubtful before her. She was entering upon a strange and untried career, with new principles, new institutions, new duties and new perils; but, as we shall ere long see, she addressed herself to the task before her as resolutely as to that of conquering her freedom, and with no less success.

CHAPTER XXIX.

On the 6th of May, 1783, the governor, in a message to the legislature, said that he had

"The honor of communicating the preliminary Articles of Peace between Great Britain and America; also a proclamation by Congress, announcing the ratification and exchange of the preliminary articles of peace by Great Britain, France and Spain, and a general cessation of hostilities by all the belligerent powers. After a long and dreadful war, after conflicts and trials unexampled in the history of mankind, it is with heartfelt satisfaction that we now see our sufferings and labors crowned with success, and the independence of America established on the surest foundation. On an event so interesting and important and so gloriously achieved, by the valor and patriotism of our citizens, we beg leave to offer you our warmest congratulations. * * *

"The patient sufferings of our army, at different stages of the war, their patriotic exertions and gallant achievements under every circumstance of difficulty and danger, give them an unquestionable claim to every public notice and regard; and when it is considered how much we are indebted to them for the liberty and independence of America, the principles of gratitude and justice cannot fail to produce the most speedy and animated efforts to make them a generous compensation for their great and important services."

Now that the war was over, the remnants of the Maryland regiments returned to their native State to be disbanded. Many of these veterans bore honorable scars, still more had their health broken down by hardships and disease, and nearly all were penniless and in rags. The Maryland Line, now numbering about five hundred men, under the command of Brigadier General Gist, embarked at Charleston on transports, and arrived at Annapolis late in July. They soon after marched to Baltimore, arriving there on the 27th. Before their departure home, General Greene, in a letter to Governor Paca, thus refers to the Maryland troops in the southern army:

"Many of your officers are on their return home. I should be wanting in gratitude not to acknowledge their singular merit and the importance of their services. They have spilt their blood freely in the service of their country, and have faced every danger and difficulty without a murmur or complaint. I beg leave to recommend Colonel Williams, who has been at the head of your Line, to the particular notice of your State, as an officer of great merit and good conduct. A very considerable number of those (Maryland Line) returned are not, nor ever will be, fit for service again. They are incapable of doing active duty, and ought to be turned over to the Invalid Corps."

The British prisoners confined at Frederick and Winchester, numbering about fifteen hundred, were marched to Baltimore in May, and embarked in vessels sent to transport them to New York. The remainder of the French troops stationed in Baltimore under the Chevalier de la Valette, marched to

Philadelphia, as did those who had been stationed at Frederick. The latter force, under the command of Armand Marquis de la Rouerie, soon after their departure on the 28th of December, sent the following complimentary letter to Governor Paca:

"After having passed through the State over which you preside, I conceive it to be my duty to express to your Excellency the thanks of the legion under my command, and my own in particular, for the friendly dispositions and behaviour of the Marylanders towards us. The town of Frederick in which we have made the longest station, has particularly evidenced to us the worthy and high character of that country. Permit me to add here that where people are sensible as those, of the rights of military men to their attention and care, they do deserve having respectable troops as the Maryland Line, and do create in others wishes for the opportunity to serve them."

These troops left Maryland with the good wishes of all classes, and General Valette said he would never forget the happy days he had passed amongst the citizens of Baltimore, and begged that they would "believe that their remembrance will be forever dear to his memory."

Major General Greene, with his secretary, Major Hyrne, arrived in Annapolis on the 25th of September on his route northward. The governor was out of the city at the time, but returned the next morning. The following interesting account of his visit is taken from his diary:

"26. We dined with the Governor, who is a very polite character, and a great friend of the army. He drank several toasts, which were accompanied with the discharge of thirteen cannon. A ball was proposed; but the weather being good I excused myself and set out; Major Hyrne was in the pouts all day, and would not go into Baltimore that night. Before we left Annapolis, the corporation presented us with an address expressive of their respect and affection. I got into Baltimore about ten at night and put up at Mr. Grant's. Before I quit Annapolis, I could not help observing this place is proposed for the fixed residence of Congress. Its situation is both pleasant and healthy, but too much exposed in time of war for the purposes of deliberation. Baltimore is a most thriving place. Trade flourishes, and the spirit of building exceeds belief. Not less than three hundred houses are put up in a year. Ground rents is little short of what they are in London. The inhabitants are all men of business. Here I had the pleasure of meeting two of my old officers, General Williams and Colonel Howard. The pleasure of meeting is easier felt than described. The inhabitants detained me four days to pay me the compliments of an address and a public dinner. The affection of the inhabitants was pleasing, and the attention of the people flattering. Hyrne got wounded here with a spear, and though it penetrated the heart he still survived."

Before his departure from Annapolis, General Greene addressed the following letter to Governor Paca:

"Sir: "*Annapolis, September 27th, 1783.*

"Having accomplished the purposes of my command in the southern department as far as in my power, and peace and the dissolution of the army rendering my further stay necessary, I am now on my way to the northward. The friendly attention which I have experienced from this State in the progress of the southern war, has a just claim to every acknowledgment in my power. And although I am fully sensible that a sentiment of gratitude from an individual, addressed to a people, is of no significance, yet I cannot deny myself this piece of justice, which is due to my feelings. It affords me the highest

satisfaction to hear of the generous measures which this State is pursuing for rewarding that band of veterans who have been the greatest support of our southern operations, in our most critical situation; nor should I do justice to their merit, not to add my highest approbation of their general conduct. Their patience and bearing have been equalled by few and exceeded by none. I contemplate the happy change in our affairs, since I had the pleasure of being in this city before, with inestimable delight; nor can I view its future prospects but with equal satisfaction. I beg leave to offer my best wishes for its prosperity, happiness and tranquillity, and that your Excellency may have a pleasing and satisfactory administration.

"I have the honor to be with great respect,

"Your Excellency's most obedient humble servant,

"NATH. GREENE.

"His Excellency Gov. Paca."

At Baltimore he was entertained at Grant's Tavern with a grand banquet provided by the citizens, and on his leaving the town, for Philadelphia, in answer to an address of the merchants, he replied:

"Nothing can be more welcome than your kind congratulations upon my return, or anything more flattering to the feelings of a soldier than your sentiments of the Southern operations. Every opportunity of expressing my obligations to the officers and troops of this State, affords me the highest satisfaction. They have been companions with me in the hours of adversity, and have greatly contributed to all our little successes. Your professions of respect and generous wishes for my happiness excite the most lively emotions of a grateful mind; and I beg leave to offer my warmestacknowledgments upon this occasion, and to add my good wishes for the prosperity and happiness of this town."

In May, 1783, the corporation of Annapolis "signified their consent, that, if the General Assembly will offer the city of Annapolis and its precincts to the honorable congress, for their permanent residence, that the said corporation and their constituents will most cheerfully agree to such offer, and be subject to such jurisdiction and power within the city and its precincts, and over the inhabitants and residents thereof, as the General Assembly will think proper to grant to congress." These proceedings were communicated to the General Assembly on the 15th of May, by the mayor, James Brice, and on the same day the House of Delegates appointed Messrs. Chase, Hall, McMechen, Stone, Quynn, Griffith and O'Neale a committee to take the subject into consideration. The committee reported on the 21st, and on the 24th, the General Assembly adopted the following resolutions:

"*Resolved*, That it is the unanimous opinion of this House, that the honor, dignity and welfare of the United States require that their representatives should have a fixed and permanent place of residence, with jurisdiction and authority over all inhabitants and residents within the district or territory assigned for the reception of Congress and their officers, and the ministers of kingdoms and States in amity or alliance with the United States.

"*Resolved*, That it is the unanimous opinion of this House, that the City of Annapolis, with its precincts, is the most eligible and proper place, within the United States, for the permanent residence of the honorable Congress, for the following reasons: First. The City of Annapolis is more central than any other city or town in the federal States, and equally convenient to the delegates to travel there by land or water. Secondly. The city standing

within three miles of the Bay of Chesapeake, and on a large navigable river, with a high, dry soil, and many springs of excellent water, is remarkably healthy. Thirdly. The Bay of Chesapeake and rivers falling into it,will afford safe and capacious harbors for fleets of ships of any size and force, and dispatches may be conveyed or received with great facility to or from Europe, or any other part of the world. And, lastly, The city is very capable of defence, with a small force, against numbers, there being only eighteen feet water within five miles thereof, and two large creeks, one on each side, and heading above the said city within a quarter of a mile of each other, and the ground in and near the city well calculated for works of defence.

"*Resolved*, That it is the unanimous opinion of this House, that the General Assembly (the corporation and citizens of Annapolis having signified their consent) offer the said city, with its precincts, to the honorable Congress, for their permanent residence, and to invest that body with such jurisdiction, authority and power within the same, and over the inhabitants and residents thereof, as may be required by Congress, as necessary for the honor, dignity, convenience and safety of that body.

"*Resolved*, That it is the unanimous opinion of this House, that the General Assembly present the Stadt House and Public Circle in the City of Annapolis (exclusive of the School House and Court House of Anne Arundel County and Loan Office standing on the said circle), to the honorable Congress for their use.

"*Resolved*, That it is the unanimous opinion of this House, that the General Assembly present to Congress the buildings and ground in the said city, appropriated for the residence of the Governor of this State, for the habitation of their President.

"*Resolved*, That it is the unanimous opinion of this House that the General Assembly offer to Congress to erect, at the expense of this State, thirteen dwelling houses and other buildings, for the residence of the delegates of each of the thirteen Confederate States, and that a sum not exceeding thirty thousand pounds specie be applied to that purpose.

"*Resolved*, That it is the opinion of this House that a copy of the proceedings of the corporation of the city of Annapolis be transmitted, with the determination of the General Assembly, to the honorable the Congress."

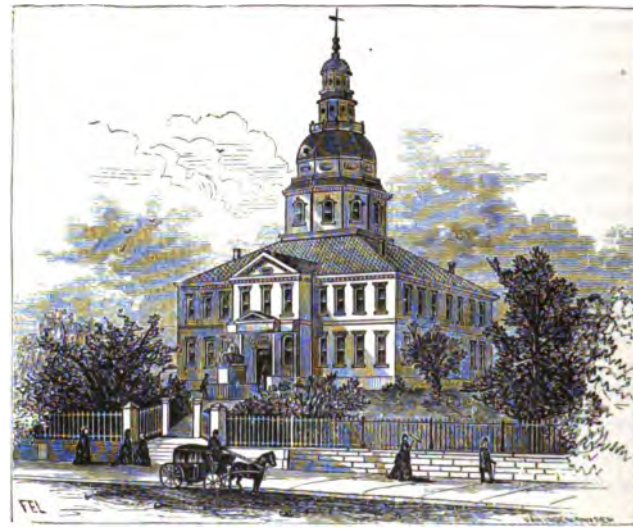
These resolutions were transmitted to Messrs. Daniel Carroll and James McHenry, two of the delegates from Maryland in congress, who laid them before that body. Congress accepted the invitation to remove temporarily to Annapolis, whereupon the legislature

"*Resolved, unanimously*, That such residence will be agreeable to this General Assembly, and that they will set apart so many of the best rooms in the public buildings as Congress may think requisite for their accommodation, and that the president of Congress may have the house now occupied by the Governor; that the General Assembly will use every endeavor to render the time of Congress as agreeable as possible during their residence in this city, or any part of the State."

On the 4th of November, 1783, congress adjourned from Princeton to meet at Annapolis, on the 26th of the same month. At the time appointed a number of the delegates assembled, but there not being a sufficient number of States present to proceed to business, congress adjourned from day to day till Saturday, December 13th, 1783, when the following members appeared: A. Foster, New Hampshire; E. Gerry, S. Osgood and G. Partridge, Massachusetts; W. Ellery, D. Howell, Rhode Island; T. Mifflin (president), C. Morris, of Pennsylvania; J. Tilton, E. McComb, Delaware; James McHenry, Edward Lloyd, Maryland; T. Jefferson, S. Hardy, A. Lee, J. Monroe, Virginia;

Mr. Hawkins, H. Williamson, R. D. Spaight, North Carolina, and J. Read, of South Carolina. After reading the credentials of the Maryland and Pennsylvania delegates, the president laid before congress a joint letter from the United States ministers at Paris, dated at Passy, the 10th of September, 1783, accompanied with the definite treaty of peace between Great Britain and the United States, signed at Paris on the 3d of September.[1]

By a proclamation of congress, dated October 18th, all officers and soldiers absent from the army on furlough were discharged from further service; and all others who had engaged to serve during the war were to be discharged, from and after the 3d of November. On the 25th of November, the British troops under Sir Guy Carleton evacuated New York, and Washington, accompanied by Governor Clinton, immediately took possession. A few days afterwards Washington took affectionate leave of General Knox and his com-



STATE HOUSE.

panions in arms, and then set out for Annapolis, with the intention of asking leave to resign his command. He left Whitehall Ferry in a barge on the 4th of December and proceeded across the Hudson to Jersey City. In passing through New Jersey, Pennsylvania and Maryland, he was everywhere hailed with enthusiasm by the people, and greeted with addresses by legislative assemblies, and learned and religious institutions.

Washington arrived in Annapolis on the 19th of December, and the legislature being in session at the time, a joint committee, composed of Messrs.

[1] The removal of congress to Annapolis was effected through the energetic efforts of James McHenry, who first suggested the subject to Governor Paca, on the 9th of August, 1783. In his letter to the governor, he asks if, in case congress should find it convenient to remove to Annapolis until they could fix on a permanent place, the public buildings would be placed at their disposal? He also inquired if the mayor and citizens would make their residence agreeable? "Tell them," says the doctor, "to suit the price of boarding to the economical taste of the eastern gentlemen."

Scott, Digges, B. Worthington, Hindman, McMechen, Ware and Coursey, on the part of the House, and Messrs. John Henry, Charles Carroll, of Carrollton, James McHenry, William Hindman and Samuel Hughes, on the part of the Senate, were appointed "to provide a proper house for the reception of his Excellency General Washington," and to bring in an address to present to him. On the next day the committee reported the following address to his Excellency General Washington:

"The General Assembly of Maryland embrace this opportunity of expressing the grateful sense which they and their constituents entertain of your distinguished services; services which, under the smiles of Divine Providence, have secured the peace, liberty and independence of these States. Your retirement to private life is a full evidence of that true patriotism which induced you to draw your sword in defence of your injured country, and made you persevere to the end of the arduous struggle, in which you have surmounted difficulties, that with prudence less than yours could not have been surmounted. Having, by your conduct in the field, gloriously terminated the war, you have taught us, by your last circular letter, how to value, how to preserve and to improve that liberty for which we have been contending. We are convinced that public liberty cannot be long preserved, but by wisdom, integrity, and a strict adherence to public justice and public engagements. This justice and these engagements, as far as the influence and example of one State can extend, we are determined to promote and fulfil; and if the powers given to Congress by the Confederation should be found to be incompetent to the purposes of the Union, we doubt not our constituents will readily consent to enlarge them; in expressing these sentiments, and by thus engaging to comply with the dictates of public faith and justice, and to satisfy the just demands of a meritorious army, we make the most acceptable returns for all those cares which you have felt, and all the toils you have undergone during your command. Permit us, in addressing you for the last time in your public character, to express our warmest wishes, that you may long enjoy the sweets of domestic ease and retirement, and that cordial satisfaction which must arise from a consciousness of having merited and gained the universal love of your countrymen."

This address was unanimously passed by both Houses and signed by the Speaker of the House and President of the Senate. A joint committee was then appointed, composed of Messrs. Ware, Wootten and Hindman, of the House, and John Henry and Charles Carroll, of Carrollton, of the Senate, to present the address to Washington. On Monday, the 22d, Charles Carroll, of Carrollton, presented to both Houses the following letter from his Excellency General Washington:

"I feel myself particularly happy in receiving the approbation of the General Assembly of Maryland, for those services which my country had a right to demand, and which it was my duty to render in defence of it. Having happily attained the object for which we had drawn the sword, I felicitated myself on my approaching return to private life, and I must acknowledge I anticipated an unusual degree of self-gratification in that retirement, which you are pleased to consider as an evidence of patriotism.

"You have rightly judged, gentlemen, that public liberty cannot be long preserved without the influence of those public virtues which you have enumerated. May the example you have exhibited, and the disposition you have manifested, prevail extensively, and have the most salutary operation! For I am well assured, it is only by a general adoption of wise and equitable measures, that I can derive any personal satisfaction, or the public any permanent advantages, from the successful issue of the contest.

"I am deeply penetrated with the liberal sentiments and wishes contained in your last address to me as a public character; and while I am bidding you a final farewell in that capacity, be assured, Gentlemen, that it will be my study in retirement, not to forfeit the favorable opinion of my fellow citizens."

The legislature also gave a public dinner to General Washington, at the expense of the State, and at night the State House was illuminated, and a ball given by the members of the assembly. An address of welcome was also presented to him by the governor and his council, the corporate authorities of Annapolis and the citizens of Baltimore. In his answer to the governor, Washington said:

"I shall ever cherish a pleasing remembrance of the welcome reception I have experienced from your Excellency and the Council, on my return to this City after the happy and honorable termination of the war.

"The flattering sentiments you entertain of my exertions in defence of our Country, and the favorable point of light in which you place my character, too strongly demonstrate your friendship, not to claim the most grateful return from me.

"Convinced from experience of the wisdom and decision which have signalized the Government of Maryland, I cannot form a better wish for the future prosperity of the State, than that the same spirit of justice and patriotism, which actuated its councils during a long and eventful war, may continue to dictate its measures through a durable and happy peace."

On the day after Washington's arrival in Annapolis, he addressed a letter to the president of congress, in which he said:

"I take the earliest opportunity to inform Congress of my arrival in this city, with the intention of asking leave to resign the commission I have the honor of holding in their service. It is essential for me to know their pleasure, and in what manner it will be most proper to offer my resignation, whether in writing, or at an audience. I shall therefore request to be honored with the necessary information, that, being apprised of the sentiments of Congress, I may regulate my conduct accordingly."

The letter was referred to a committee composed of Messrs. McHenry, Jefferson and Gerry, with instructions to make suitable arrangements to receive Washington's commission. In conformity with their report, congress resolved on the 22d of December, that the ceremony of resignation should be conducted as follows:

"I. The President and members are to be seated and covered, and the Secretary to be standing by the side of the President.

"II. The arrival of the General is to be announced by the messenger to the Secretary, who is thereupon to introduce the General, attended by his aides, into the Hall of Congress.

"III. The General, being conducted to a chair by the Secretary, is to be seated, with an aid on each side standing, and the Secretary is to resume his place.

"IV. After a proper time for the arrangement of spectators, silence is to be ordered by the Secretary, if necessary, and the President is to address the General in the following words: 'Sir: The United States in Congress assembled are prepared to receive your communications.' Whereupon the General is to arise and address Congress; after which he is to deliver his commission and a copy of his address to the President.

"V. The General having resumed his place, the President is to deliver the answer of Congress, which the General is to receive standing.

"VI. The President having finished, the Secretary is to deliver the General a copy of the answer, and the General is then to take his leave. When the General rises to make his address, and also when he retires, he is to bow to Congress, which they are to return by uncovering without bowing."

According to this order, on the 23d of December, 1783, Washington, accompanied by one of his Secretaries, entered the hall of congress, now the senate chamber, in the State House at Annapolis, and took his seat in the chair assigned him. The gallery over the doorway was crowded with ladies, and a great part of the floor was filled with the governor and his council, and other State officers, members of the legislature, several general officers, the consul-general of France, and many distinguished citizens. The members of

WASHINGTON RESIGNING HIS COMMISSION.

congress were seated with their hats on, "as representatives of the sovereignty of the Union." All other gentlemen, present as spectators, were standing and uncovered.

After a brief pause, General Mifflin, president of congress, informed General Washington that "the United States in congress assembled, are prepared to receive your communications."

Washington then rose, and in a dignified and impressive manner, delivered the following address:

"*Mr. President:*

"The great events on which my resignation depended, having at length taken place, I have now the honor of offering my sincere congratulations to Congress, and of presenting myself before them, to surrender into their hands the trust committed to me, and to claim the indulgence of retiring from the service of my country.

"Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable nation, I resign,

with satisfaction, the appointment I accepted with diffidence; a diffidence in my abilities to accomplish so arduous a task, which, however, was superseded by a confidence in the rectitude of our cause, the support of the supreme power of the Union, and the patronage of Heaven.

"The successful termination of the war has verified the most sanguine expectations; and my gratitude for the interposition of Providence and the assistance I have received from my countrymen, increases with every review of the momentous contest.

"While I repeat my obligations to the army in general, I should do injustice to my own feelings, not to acknowledge, in this place, the peculiar services and distinguished merits of the gentlemen who have been attached to my person during the war. It was impossible the choice of confidential officers to compose my family, should have been more fortunate. Permit me, Sir, to recommend in particular those who have continued in the service to the present moment, as worthy of the favorable notice and patronage of Congress.

"I consider it an indispensable duty to close this last act of my official life, by commending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them to his holy keeping.

"Having now finished the work assigned me, I retire from the great theatre of action, and bidding an affectionate farewell to this august body, under whose orders I have so long acted, I here offer my commission, and take my leave of all the employments of public life."

"Few tragedies ever drew so many tears from so many beautiful eyes," says the editor of the Maryland *Gazette*, who was present, "as the moving manner in which his Excellency took his final leave of Congress."

Having finished his address, Washington advanced and delivered to the president his commission and a copy of his remarks, and then resuming his place, President Mifflin answered him as follows:

"SIR:—The United States in Congress assembled receive, with emotions too affecting for utterance, the solemn resignation of the authorities under which you have led their troops with success through a perilous and a doubtful war. Called upon by your country to defend its invaded rights, you accepted the sacred charge, before it had formed alliances, and whilst it was without funds or a government to support you. You have conducted the great military contest with wisdom and fortitude, invariably regarding the rights of the civil power through all disasters and changes. You have, by the love and confidence of your fellow citizens, enabled them to display their martial genius, and transmit their fame to posterity. You have persevered, till these United States, aided by a magnanimous king and nation, have been enabled, under a just Providence, to close the war in freedom, safety and independence; on which happy event we sincerely join you in congratulations.

"Having defended the standard of liberty in this new world; having taught a lesson useful to those who inflict and those who feel oppression, you retire from the great theatre of action with the blessings of your fellow-citizens; but the glory of your virtues will not terminate with your military command, it will continue to animate remotest ages.

"We feel with you our obligations to the army in general, and will particularly charge ourselves with the interests of those confidential officers who have attended your person to this affecting moment.

"We join you in commending the interests of our dearest country to the protection of Almighty God, beseeching Him to dispose the hearts and minds of its citizens, to improve the opportunity afforded them, of becoming a happy and respectable nation.

And for you we address to Him our earnest prayers, that a life so beloved, may be fostered with all His care; that your days may be happy as they have been illustrious; and that He will finally give you that reward which this world cannot give."

This affecting scene being closed, Washington withdrew from the hall of congress, followed by the love, esteem and admiration of his countrymen. On the next morning he left Annapolis and hastened to Mount Vernon, where he arrived the same day, on Christmas Eve. In a letter to Governor Clinton he wrote: "I feel eased of a load of public care. I hope to spend the remainder of my days in cultivating the affections of good men, and in the practice of the domestic virtues."

While congress was sitting in Annapolis, on the 14th of January, 1784, it ratified the definite treaty of peace which had been concluded and signed at Paris on the 3d of September; and on the 20th of January, Governor Paca issued his proclamation announcing the same to the people of the State. After electing Daniel of St. Thomas Jenifer, one of the commissioners of the treasury, congress on the 3d of June, 1784, adjourned from Annapolis to meet at Trenton on the 30th of October following.

Before the dissolution of the army on the Hudson, General Knox, "ever noted for generous impulses," suggested as a mode of perpetuating the friendships which had been formed, and keeping alive the brotherhood of the camp, the formation of a society composed of the officers of the army. The suggestion met with universal concurrence, and the hearty approbation of Washington. On May 10th, 1783, a meeting of the general officers and one officer from the line of each regiment was held at the headquarters of Baron Steuben, at the cantonment on Hudson River; Baron Steuben presided, and proposals for establishing "The Society of the Cincinnati" were considered. They were referred to a committee composed of Major General Knox, Brigadier General Hand, Brigadier General Huntington and Colonel Shaw. After three days they made a report which was unanimously adopted, and the plan as revised by them was carried into complete effect with little opposition, and is still in force. The next preliminary meeting was again held at the cantonment on June 19th, 1783, when General Washington was elected temporary president-general; Major General McDougall, treasurer-general; and Major General Knox, secretary-general. The first general meeting after the disbanding of the army took place at the City Tavern, Philadelphia, in May, 1788, where permanent officers were elected. On the 15th, Washington was unanimously chosen president, Major General Gates, vice-president, and Major General Knox, secretary.

The Maryland *Gazette*, on the 6th of November, 1783, published the following notice:

"*October 30th, 1783.*

"The officers of the Maryland Line, upon the present and half-pay establishments, are requested to meet at Annapolis on the 20th day of November where several matters very interesting to the line in general will be communicated, and necessarily brought under consideration.

"W. SMALLWOOD, M. G."

In pursuance of this notice a large number of the officers of the Maryland Line assembled at Mann's Tavern, in Annapolis. In consequence of the absence of Major General Smallwood and Brigadier General Gist, the two senior officers of the Maryland Line, the meeting was adjourned until the following morning at eleven o'clock. The two officers not appearing, the meeting was again adjourned until the afternoon at three o'clock, when it was organized by selecting Brigadier General Otho H. Williams as temporary chairman, and Lieutenant Colonel Eccleston, secretary. The institution of the order of the Cincinnati was read and adopted; and after each officer had signed the constitution, etc., they adjourned until the next day. Upon reassembling, they proceeded to the election of officers, whereupon Major General Smallwood was elected president; Brigadier General Gist, vice-president; Brigadier General Williams, secretary; Colonel Nathaniel Ramsay, treasurer, and Lieutenant Colonel Eccleston, assistant treasurer. After the transaction of some minor business, the society then elected General Smallwood, General Williams, Governor Paca and Colonel Ramsay, delegates to the general society.[1]

The necessarily exclusive character of the Society of the Cincinnati, at once excited the hostility of those who were debarred from membership—of the civilians, who could have no place in its ranks; and of theorists, at home and abroad, who feared it might jeopard the social and political equality they anticipated for the republic. The chief opposition it encountered, however, was on account of the hereditary feature of its membership. The attack was, as usual in such cases, more active than the defence, and a strong feeling was aroused against the society, both in Europe and America. The feeling becoming so strong, through the influence of Washington, the institution was so amended as to abolish the hereditary principle and the power of admitting honorary members was adopted.

At the close of the war, Henry Harford, the last lord proprietary, ex-Governor Robert Eden, Robert Smith, John Clapham and several other prominent loyalists returned to the State. Soon after their return, ex-Governor Eden attempted to assume possession of the property which the lord proprietary had abandoned at the breaking out of the war. He issued a number of patents to vacant lands, affixed the seals, and took the fees of office; but upon the governor and council taking legal steps against him, he desisted. Henry Harford memorialized the legislature, in December, 1785, for compensation or restoration of his confiscated property, and, upon being heard by counsel, at the bar

[1] While the society of the Cincinnati was in session, at Annapolis, on the 24th of November, 1783, Governor Paca sent the following brief message to the General Assembly: "This morning, one of the officers of the Maryland Line called upon me, and gave information that a number of soldiers had collected in the city and expressed a design of surrounding the General Assembly, and of making use of some violence to obtain satisfaction of their claims on the public." As a matter of precaution, he ordered Colonel James Brice to hold in readiness to march, at a moment's warning, one company of the Annapolis militia, to protect the treasury, and to suppress any violent proceedings. It is scarcely necessary to add that the rumor was false. Great as was the need of these veterans, and however just their cause of complaint at the delays of congress in settling their long arrears of pay, they showed no turbulent disposition, but patiently returned to their farms and workshops.

of the House, the Senate, in a message to the House, "were unanimously of opinion that the memorialist cannot, of right, ask, or this State, consistently with justice to others, grant him any compensation or retribution for the losses he states in his memorial to have been by him sustained, in consequence of the revolution and Acts of our legislature." In coming to this conclusion, they represent, among other things,

"That revolution and those acts were occasioned by the prosecution of an unjust war, commenced against this country by the British government, of which the memorialist is a subject. On that government, therefore, to which he remained attached during the whole war, and with whose success his own interests were so intimately connected, he ought to rely for compensation for his losses. However rigorous the confiscation of the property of British subjects might appear, abstractly considered, the act for seizing and confiscating that property, under the circumstances and with the restrictions it was passed, we are convinced, was perfectly justifiable. The severity of the measure long delayed its adoption, and that delay mitigated its severity by affording to every British subject the opportunity of avoiding the consequences of the confiscation act." In regard to "the claim of quit-rents, as a subsisting debt recoverable under the treaty, which was urged as a ground for making a compensation to, or compromise with, the memorialist, has also been considered, and appears to us entirely groundless and inadmissible, being, as we conceive, incompatible with the sovereignty and independence of this State; and we cannot, consistently with the duty we owe to our constituents, do, or suffer to be done, any act that has the most distant tendency to create a supposition, that any power on earth can place the free people of Maryland in the degraded condition of tenants to a superior lord, a foreigner, and a British subject. We are also clearly of opinion that the quit-rents reserved upon the grants of the former proprietaries were hereditaments subject to all the rules and consequences of other real estate, and therefore cannot, consistently with law, be held by an alien; and that no part of the Treaty of Peace can give the smallest color to a supposition, that these hereditaments, more than others, were saved or reserved. That the claim of the former proprietary to quit rents ceased upon the Declaration of Independence, we have not the smallest doubt; and we think the Legislature acted wisely in declaring that the payment of them even to this government should never be exacted, and that the citizens of this State should hold their lands on equal terms with the citizens of the other States."

In consequence of the return of so many tories or loyalists, who were hostile to the State government, the citizens of Baltimore assembled in town meeting at the court-house, on the 21st of June, 1783, and adopted the following resolutions:

"*Resolved, unanimously*, That an universal attachment to the present government of this State is essential to the harmony and tranquillity of the good citizens thereof; and that every expedient should be adopted that would in anywise contribute thereto.

"*Resolved, unanimously*, That such an uniformity cannot possibly be obtained in this Town if those who have abandoned the cause of America and joined that of our enemies, are permitted to return to and remain among us as citizens.

"*Resolved, unanimously*, That all refugees having opposed the Establishment of the Independence of America should not participate in the advantages thence accruing, and ought not to reside among us.

"*Resolved, unanimously*, That our Representatives in Assembly should consider the above resolves as the fixed sentiments of the inhabitants of this Town, and that the object in contemplation may be affected in a constitutional manner, we do hereby instruct our representatives in assembly to contribute their utmost endeavors at the next session of Assembly, towards procuring a law to be passed prohibiting all persons whatsoever from returning

to and residing within this State as citizens who have withdrawn themselves from the United States of America, since the 15th of April, 1775, and have joined and abetted the armies or Councils of the King of Great Britain, or who have been legally attainted or expelled from any one of the said States by the Executive authority thereof.

"*Resolved, unanimously*, That if any refugee presumes to return before the next session of Assembly, he will incur an additional mark of the displeasure of the inhabitants of this Town.

"*Resolved, unanimously*, That all persons among us disaffected to the independence of America who may presume to reflect in any degree upon our present Government, be treated with every mark of detestation and contempt.

"*Resolved, unanimously*, That the inhabitants of this Town, will uniformly and steadfastly adhere to the true principles of our happy constitutions and consult and maintain the tranquillity of the citizens of this State; and that we cautiously observe and make known the conduct of all such ambiguous or suspicious characters as may attempt to take refuge in this State from the just indignation of the citizens of any other of the United States.

"*Resolved, unanimously*, That the proceedings of this meeting be published in the Maryland *Gazette*, the Maryland *Journal* and the Pennsylvania *Packet*.

"SAMUEL PURVIANCE, *Chairman*.[1]
"WILLIAM MAC CREERY, *Secretary*."

By various Acts, the State purchased before the Revolution, Bank of England stock to the amount of £29,000 sterling, in the joint names of Osgood Hanbury, Sylvanus Grove and James Russell, trustees. At November session, 1779, the General Assembly passed a law, calling out of circulation the bills of credit issued by the Act of November 1766, chapter XXVI, on the credit of the bank stock, before the first of June, 1780, or forever thereafter to be irredeemable; and gave the holders of the bills their option, either to bring them in and receive in exchange bills on the trustees in England, or certificates bearing interest, on the credit of the State. And as the old trustees of the bank stock might decline to receive the bills of credit, this Act appointed "William Carmichael, Edmund Jennings, Joshua Johnson, Jonathan Williams, and Richard Bennett Lloyd, and requests Doctor Franklin, or, in case of his death or declining to act, Mr. Jay, to appoint any one of the aforesaid persons, and procure him a passport or safe conduct to go to London to act as trustee for this State, and sell the bank stock, discharge the bills drawn on the former trustees, and call on them for all money belonging to this State in their hands."[2]

[1] Samuel Purviance was a native of Donegal, in Ireland, and immigrated to America about the year 1754. He resided in Philadelphia until 1768, when he removed to Baltimore. He had, however, been united with his brother, Robert Purviance, in a commercial house, which he had established in Baltimore in the year 1763. He was one of the foremost patriots in the colonies, and, from his bold and decided character, he was selected chairman of the Baltimore Town committee of correspondence. During the Revolution, he was the writer of the greater part of the correspondence which emanated from the committee. His fate was an untimely one. In the year 1788, he was descending the Ohio, in company with several others, when the boat on board of which he was, was captured by a band of Indians; some of the party made their escape. It was his misfortune to have been secured by his captors, and led by them into the interior of the vast wilderness, and was never afterwards heard of, although General Harmer, who at that time commanded one of the outposts of the frontier, had the country searched for more than five hundred miles.—*Baltimore During the Revolutionary War*, p. 32.

[2] Hanson's *Laws*.

In pursuance of this law, bills of exchange were drawn on the trustees to the amount of £1,825 12*s.* 3*d.* sterling, which were protested, by the advice of the attorney-general of England, in August, 1780. In June session, 1780, chapter XXIV, a law was passed to authorize the treasurer of the Western Shore to draw bills of credit to the amount of £30,000 sterling, on the old and the new trustees of the bank stock in England, and to sell the bills for specie, at the rate of not less than £166 13*s.* 4*d.* for £100 sterling, or for continental money, at the rate of not less than £75 for £1 sterling. And the continental money which the treasurer was to receive, he was to exchange for the new *black money*, which was now, for the first time, issued.[1] He was also directed to draw to the amount of £5,000 in favor of such persons as the governor should direct, for the purpose of purchasing, in Europe or in the West Indies, necessaries for the army, and salt for the public. In case the old trustees refused to act, or should protest the bills, or the British government should prevent their payment, the holders of such bills should receive the amount in specie, or in bills of credit to the value of specie, with fifteen *per cent.* damages, and the charges of protest. And if the trustees refused to pay the said bills, the holders of the same were "entitled to an attachment against the property, real and personal, within this State, of Osgood Hanbury, Sylvanus Grove, James Russell, Henry Harford, or the repesentative of the late Lord Baltimore." But in case the treasurer could not dispose of the bills within thirty days from the passage of the Act, the governor and council were authorized to direct bills of credit to be issued to the same amount, to defray the expenses of government, redeemable on or before the 1st day of May, 1786, in specie or in bills of exchange, payable in Europe, at forty days sight. The bank stock, or so much of any British property in the State, as might be necessary, was pledged for the redemption of this issue.

No bills of exchange were drawn under this law, but the issue was made. In February, 1781, as we have seen, for a great number of reasons suggested, and among others, "that the trustees, on the advice of the officers of the crown of Great Britain, had refused to pay the money belonging to this State in the Bank of England," a law passed to seize and confiscate all property, debts only excepted within the State, belong to British subjects. This Act recited, that the trustees had *refused* to pay the bills of exchange drawn on them in pursuance of the Act of November, 1779, and as a special fund to redeem the issue made in pursuance of the Act of June, 1780, the General Assembly pledged the real and personal property belonging to James Russell and company, whom the law declared to be British subjects within the Act. In May and November, 1781, two laws passed directing the sale of as much of the property of Russell and company as was necessary to redeem the emission of June, 1780, and the residue to redeem another issue in the same month and year; which was accordingly done. The property of Mr. Russell was confiscated by the law for the general confiscation of the property of all British subjects, and not as trustee or for any misconduct as trustee.

[1] Red money was issued under the Act of May, 1781, chapter xxiii.

By the treaty of peace between the United States and Great Britain, we have also shown that it was provided that there should be no lawful impediment to the recovery of debts; and by the same treaty it was agreed that congress should recommend it to the legislatures of the several States to make restitution of the confiscated property of British subjects. The first was positive and obligatory on both sides; the latter was discretionary with the several States. Under these circumstances a law was passed by the General Assembly in April, 1783, to appoint an agent to proceed to England and recover the stock and accumulated dividends.[1]

The governor appointed Samuel Chase to execute this important trust, and he embarked for England in August, and arrived there in September, 1783. He immediately notified the trustees of his appointment and requested an immediate transfer of the stock. Mr. Hanbury, one of the trustees, died in January, 1784. Mr. Grove, after five months delay, consented to transfer the stock whenever Mr. Russell would join him; but the latter refused to transfer any part of the stock, unless the State would compensate him for the loss of his property, which he valued at £14,000. He grounded his refusal on the allegation "that the legislature of the State confiscated his property for his conduct as trustee, in protesting the bills of exchange, in August, 1780."

Despairing of recovering the stock, Mr. Chase, made preparations for his immediate departure home, when on the 31st of March, he with Mr. Grove and the Bank of England were served with a writ of injunction from the High Court of Chancery to answer a bill on the 28th of April, filed by Mr. Russell to prevent the transfer of any part of the bank stock to the State, without an order of the court. Involved in these unexpected difficulties, Mr. Chase employed the attorney-general, Mr. Erskine, and Mr. Stanley as his counsel, who immediately prepared an answer to Mr. Russell's bill, pending which Messrs. Ewers and John Buchanan, partners of Mr. Russell, became parties to the suit, to prevent a transfer of any part of the stock until they were compensated for their third of the Nottingham Iron Works, which they estimated at £20,000, sterling. Messrs. Russell, Ewers and Buchanan now obtained an order of court to transfer £44,000 stock to the accountant-general of the court of chancery in trust and subject to the order of court. Leaving the management of the suits in the hands of his counsel, on the 15th of August, 1784, Samuel Chase returned home. During his absence from England, considerable litigation arose, but finally the case was settled, after deducting £10,000 paid to Henry Harford, the last lord proprietary, whose claim for lands and quit-rents the State had rejected, and discharging several other claims arranged for in the compromise. The amount received by the State after the payment of all claims, it is said amounted to about $650,000.

[1] The trustees reported, on the 24th of July, 1775, that the capital stock in their hands belonging to the State amounted to £29,000 sterling, and that they had £478 3s. sterling uninvested.

To discharge the engagements of the State towards its officers and soldiers for their services during the Revolution, the General Assembly, at the November session of 1781, appropriated all the vacant lands westward of Fort Cumberland, reserved or otherwise, except so far as they were fairly covered by warrants, etc., to fulfill the obligations of the State to its soldiers. By this Act it was also provided that there should be a land office for the Western Shore at Annapolis, and another on the Eastern Shore, where the general court was held. In April, 1787, the legislature passed a resolution authorizing the governor to employ a competent person to lay out the vacant lands belonging to the State westward of Fort Cumberland, in lots of fifty acres each. In pursuance of this resolution, Francis Deakins was appointed, and, at the November session of the legislature of 1788, having finished a general plat of the lands, he reported to the General Assembly, whereupon an Act was passed "to dispose of the reserved lands westward of Fort Cumberland." To each of the officers of the Revolution, was assigned four lots of fifty acres each, and to each private one lot. In 1841, the Eastern Shore Land Office was abolished, and its business transferred to that of the Western Shore, at Annapolis, of which the chancellor of the State was judge, until 1851, when the chancellorship being abolished under the new constitution, a commissioner of the land office was created.

CHAPTER XXX.

We have seen in the earlier pages of this work that the attention of the people of Maryland was at a very early period of the colonial history directed to the establishment and endowment of schools; and that the promotion of useful learning was deemed an object highly worthy the attention of the legislature. At the session of assembly at the city of St. Mary's, in the year 1692, an Act was passed for its encouragement; in 1696, King William's Free School was established at Annapolis, and in 1723, free schools were authorized in each of the twelve counties of the State, and the funds provided by previous Acts for the support of county schools were distributed among them.

On the 14th of September, 1698, it was ordered that the several constables in the province should take an exact account in their several hundreds of what schools there were, and by whom they were kept, and make a return in a good legible hand. We have not seen these returns, yet the fact that they were ordered shows us that there were school-houses and teachers in the province, and that education was not neglected. As a general thing, vestry-houses at the churches were used for schools, and the teachers were clerks in the churches, and in this way the church assisted in the education of the youth of the parish.

On the 24th of June, 1714, Governor Hart, who was one of the original founders of public education in Maryland, sent the following query to the clergy of the province: "Are there any schoolmasters within your respective parishes that came from England, and do teach without the Lord Bishop of London's license, or that come from other parts and teach without a license from the governor? Answer: "The case of schools is very bad; good schoolmasters are much very wanting. What we have are very insufficient; and of their being qualified by the Bishop of London's or governor's license, it has been utterly neglected."[1]

The Bishop of London, among other subjects, on the 29th of May, 1724, addressed the following query to the Episcopal clergymen of Maryland:

[1] Signed by twenty-one clergymen of the province.

Schoolmasters were required to take the oath of allegiance to George I.

The following queries were propounded to the clergy by the Rev. Commissary Henderson, in 1717: "What schoolmasters have you in your parish?" "Are they persons of sober life and conversation?" "Are they licensed by the ordinary?" "Do their scholars learn the church catechism, and do they duly and regular bring them to church on Sundays and holy-days?" Their answers are not found on record; but they show how much and how widely the subject of schools engaged the public attention.

"Have you in your parish any public school for the instruction of youth? If you have, is it endowed, and who is the master?"

To this were received the following replies: Mr. Tibbs, rector of St. Paul's Parish, Baltimore County, answered:

"I have no public school in my parish for the instruction of youth."

Jonathan Cay, rector of Christ Church, Calvert County, answered:

"None; but encouragement being lately given by an Act of Assembly for a school in the county, we have made some steps that way."

Robert Scott, rector of All Faith Parish, St. Mary's and Charles Counties, answered:

"I have no public school within my parish for the instruction of youth, but we are going about it."

Leigh Massey, rector of William and Mary Parish, St. Mary's County, answered:

"There are gentlemen as feoffees for the settling of a free school in every parish in this Province. Each school to have one hundred acres of land. The master of this not chosen yet."

Giles Rainsford, rector of St. Paul's Parish, Prince George's County, answered:

"No public school but encouragement lately given by Act of Assembly for that end."

James Williamson, rector of All Saints' Parish, Calvert County answered:

"We have no public school."

Peter Justian, rector of St. James' Parish, Anne Arundel County, answered:

"I have no public school in my parish."

J. Frazer, rector of St. John's Parish, Prince George's County, answered:

"Private schools only."

Jacob Henderson, rector of Queen Anne Parish, Prince George's County, answered:

"None but private schools."

William Maconchie, Port Tobacco and Durham Parishes, Charles County, answered:

"As yet there is no school endowed in my parish, though there are seven or eight private schools in it."

Alexander Adams, rector of Stepriey Parish, Somerset County, answered:

"There are none but several private schools."

Thomas Phillips, rector of Christ Church Parish, Kent Island, answered:

"There are several small schools here, but none endowed. Master's names, Thomas Hancock, Isaac Barnes, John Lawson."

"Christopher Wilkinson, rector of St. Paul's Parish, Queen Anne County, answered:

"We have no public school at present, one is to be erected in every county by an Act of Assembly, but how it will be endowed is not yet certain."

Thomas Howell, rector of Great Choptank Parish, Dorchester County, answered:

"There is in my parish one public school, endowed with £20 sterling, currency money, which is about 15 shillings sterling yearly; for which the master is obliged to teach ten charity scholars. The master is Philip Albeck."

James Robertson, rector of Coventry Parish, Somerset County, answered:

"We have one."

Alexander Williamson, rector of St. Paul's Parish, Kent County, answered:

"We are about having one public school in each county."

"Daniel Maynadier, rector of St. Peter's Parish, Talbot County, answered:

"There is a public school lately endowed, but no master pitched upon yet, there being no land yet purchased for him."

Richard Sewell, rector of Shrewsbury Parish, Kent County, answered:

"Four or five small ones just begun; about sixty children at them. An Act is lately made for a public one in each county."[1]

Henry Nicols, rector of St. Michael's Parish, Talbot County, answered:

"There is no public school in my parish; but our government has established a certain sum for erecting one in every county. There is about £250 sterling, in cash, towards buying lands and building, and there will be about £20 sterling per annum for a master, and we are in hopes will improve into a greater sum every year; but things are in their infancy yet."

Thomas Thompson, rector of Dorchester Parish, Dorchester County, answered:

"I have no public school in the parish for the instruction of youth at present, nor any prospect of there being one."[2]

In 1732, a proposal was offered to the consideration of the governor and the General Assembly, for founding a college at Annapolis for the education of the youth of the province. It proposed to teach theology, law, medicine, and the higher branches of a collegiate education. The faculty was to consist of five persons, under the inspection and protection of the governor, who was to be chancellor of the college. There was to be a senior lecturer or regent who was to be professor of divinity, moral philosophy and the classics; a Latin and Greek master or junior lecturer qualified to assist or supply the place of the senior in case of sickness, etc.; a sub-master or usher qualified as the master; a writing master, who was to have a complete knowledge of mathematics; an English master, who, in occasion, could teach reading and

[1] This Act, so often referred to, is the one passed in 1723.

[2] From seven parishes, no returns were made. About the year 1725, Rev. Hugh Jones commenced a school in Piccawaxen Parish, Charles County; of which parish he then became rector, and continued for two years, when he became rector of North Sassafras Parish, Cecil County. He had been rector of Christ Church Parish in 1696, but in 1701 he removed to Virginia, and while there became a professor in William and Mary College, and officiated successively in two or three parishes, and became widely known by his history of Virginia and account of Maryland. About the year 1725, he returned to Maryland, and died in Cecil County, at the great age of ninety years.

accounts. Under these professors the scholars were to be instructed from the first rudiments to the last stage of useful learning. The contemplated college was, however, not founded.

In 1745, Rev. Dr. Eversfield, Rector of St. Paul's Parish, Prince George's County, established a private school near his residence, which he continued until his death in 1780. In this year (1745), Rev. Thomas Cradock was appointed Rector of St. Thomas' Parish in Baltimore County, and in 1747 begun a school at his own residence. From his advertisement in the Maryland *Gazette* at this time, we learn that he took young men into his family and taught them the Latin and Greek languages and furnished them with board at $53 per annum. This seminary became a famous seat of learning, for it was here that some of the ablest and most distinguished men of the province were educated. Among whom were the Lees and Barnes, of Charles County, the Spriggs and Bowies, of Prince George's, and the Dulanys, of Anne Arundel. The school was much patronized from the lower counties, and continued during Cradock's life. He died in 1770. He was a graduate of one of the English universities, and brother of the Archbishop of Dublin. He was a fine poet and scholar, had a large ministerial influence, and was no mean author.

Rev. Thomas Bacon, then Rector of St. Peters, Talbot County, in 1750, established a *charity working school* in that parish which went into operation with every promise of success. In September of that year he had obtained from that and the adjoining counties $284 in annual subscriptions, and $164 in donations. Lord Baltimore also contributed annually $88.80, besides a donation of near $500. Lady Baltimore also contributed $22. Bishop Wilson, of Sodor and Man, also took a special interest in the school, and obtained large donations in England. Trustees were appointed; one hundred acres of land purchased, and a brick house built. This was the first Manual Labor School in Maryland, and continued to flourish for some time. In 1758, he became Rector of All Saints Parish, Frederick County, which was then the most lucrative in the province.[1]

On October 11, 1763, leave was given in the Lower House of Assembly to bring in a bill to found a college at Annapolis. The subject was referred to

[1] In 1753-4, the council issued an order that schoolmasters must be licensed, and that teachers of all public and private schools were required to take the test oaths. In consequence of this order, a number of the Roman Catholic teachers, who conducted several private schools in the province, refused to take the oaths, and left the province. In 1753, there was a Catholic school in Baltimore County. According to the returns of the number of schoolmasters in the province, made to the governor in 1754, we find that among those who taught school in Prince George's County was "Enoch Magruder's convict servant," "Jeremiah Berry's indented servant," "Samuel Selby's convict servant," "John Haggerty's indented servant," "Thomas Harrison, a convict," "Daniel Wallahorn's convict servant." As early as 1760, there was a public classical school or academy at Lower Marlborough, in Calvert County. It was under the direction of a Board of Trustees, and was taught by very competent teachers. The building was erected by private subscription. It turned out some fine classical scholars. About this time, Rev. Isaac Campbell, rector of Trinity Parish, Charles County, opened a private school at his residence, which was continued till his death in 1784. Under his successor, it was merged in the Charlotte Hall School, and he became its first president.

a committee, who brought in a favorable report, recommending that the dwelling-house which had been erected for Governor Bladen, "be completely furnished and made use of as the college." The bill passed the Lower House, but failed to pass in the Upper.

It having been represented to the General Assembly, in 1770, that the free schools in Somerset and Worcester Counties, were so situated that no convenient place of boarding the scholars could be had; and that the funds provided for each separately did not afford sufficient masters; and that both schools might be consolidated into one, sundry persons had subscribed large sums of money for effecting that object; an Act was passed erecting such a school, and giving it the name of "Eden School." The legislature also appointed the following trustees: Rev. Samuel Sloan and Messrs. Levin Gale, Thomas Dashiell, Thomas Hayward, Henry Lowes, Andrew Francis Cheney, Josiah Polk, William Adams, George Dashiell and Thomas Bruff, of Somerset County, and William Allen, Littleton Dennis, Benton Harris, Henry Johnston, George Hayward, Lemuel Purnell, Thomas Martin, Peter Chaille, John Selby and Joseph Dashiell, of Worcester.

Up to this time the free schools that had been established in the several counties, by the General Assembly, did not flourish. There were funds, but there could not be found, outside of the clergy, capable teachers, and the legislature of that day was not unmindful, that in order to improve "the natural abilities and acuteness of our youth"—in order to have good schools, it was needful, in the first place, to have good teachers, with the requisite qualifications in point of learning, talents and character; and that the province could never supply its schools with proper masters, unless it provided schools in which teachers themselves might be faithfully taught everything that they were afterwards required to teach.[1]

[1] The following advertisement, taken from the Maryland *Gazette* of the 17th of February, 1774, gives us a fair sample of the private schoolmasters of that day:

"To be sold—a schoolmaster, an indented servant that has got two years to serve.

"JOHN HAMMOND, near Annapolis.

"N.B.—He is sold for no fault, any more than we are done with him. He can learn bookkeeping, and is an excellent good scholar."

The Maryland *Gazette* of February 28, 1771, contains an advertisement of a runaway servant man from Dorchester County, who had followed the occupation of a schoolmaster—much given to drinking and gambling.

Upon the breaking out of the Revolution, the clergy of the Established Church were all deprived of their livings. This was a great advantage to the cause of education, whatever ills it occasioned the clergy. Many of them thus had to resort to teaching school. Such were Tabbs and Stephens, of St. Mary's. Campbell, of Charles, was already so engaged. Booth, and perhaps Berry, of Frederick; Lander, of Calvert; Love and R. M. Konnick, of Anne Arundel; Read, of Kent; Chase, of St. Paul's, Baltimore; Barroll and Thompson, of Cecil; Duncan, of Talbot; T. Brown, of Dorchester; Sloan, of Talbot, had before been so engaged, and Duncan and Bowie, of Worcester. Seventeen, thus, and perhaps more of the fifty-seven then in Maryland, became promoters of schools, while only seven of the fifty-seven went to England. Rev. Henry Addison, rector of St. John's Parish, established a school at his residence, "Barnaby Manor," northeast, opposite Alexandria, in 1765, for his own family and his neighbors, which he continued for many years. He was a man of great wealth and of high respectability. He died in 1789. After the Revolution, the school was taught by Rev. Joseph Jackson, till he was admitted to orders in 1794. Not long after this, he became rector of St. Peter's, Talbot, where, for fifteen years, he continued his work of teaching. And when he died, in 1820, he left his property to further the same object, in which it is still efficient, having formed part of the foundation of St. James' College. Rev.

In an Act of Assembly passed near the close of the Revolutionary War, we learn the design of those who introduced the free school system into Maryland.

"AND WHEREAS former legislatures of this State, having according to their best abilities, laid a considerable *foundation*, in this good work, in sundry laws for the establishment of county schools for the study of Latin, Greek, writing and the like, intending, as their future circumstances might permit, to engraft or raise, on the foundation of such schools, more extensive seminaries of learning, by erecting one or more colleges or places of universal study," etc.

Experience proved that in this scheme they had committed a most serious blunder, and that upon such a foundation there could be no superstructure. In the petitionary Act for free schools, "they acknowledged the great wisdom of the government, in the grant to the neighboring colony of Virginia, of a charter for the propagation of the college, or place of universal study," and yet they did not perceive the absolute necessity of adopting in Maryland the same wise policy. They began with free schools, intending when the system was perfected, to engraft upon it a plan for a more liberal education; and as a necessary consequence the free school system proved a failure, not as we have stated for the want of requisite funds, but because funds without suitable masters would be of no service to the community, and it was no part of their plan before building the schools to provide competent teachers.

Such a system—a system productive of expense but of little practical benefit, soon came into disrepute. The teachers were, most of them, men who had very little talent or knowledge of teaching, others were persons of no social standing, criminals, indented servants, etc., and parents discovered that the time spent by their children at school was comparatively wasted. The property which had been acquired for the free schools, was, in some of the counties used for other purposes; and with respect to other free schools, the next experiment was to consolidate the school fund of several counties, in order thereby to provide one respectable school for several counties. In the Act of 1774, chapter XIV., it is stated that, "Whereas it is represented to this General Assembly by sundry of the inhabitants of St. Mary's, Charles, and Prince George's Counties, that the free schools in the said counties do not separately afford a sufficient encouragement for proper masters, and that in order to have the lands and houses of the said schools sold, and one school erected at the place commonly called the Cool Springs, in St. Mary's County, and the funds consolidated into one;" and it is added as an evidence of the strong feeling of the public on this subject, that to further the completion of so laudable an institution, sundry persons have subscribed large sums

William Brogden, rector of Queen Anne's Parish, Prince George's County, in 1751, was principal of the free school in that county. Previous to this, he had been the rector of All Hallows' Parish, Anne Arundel, since 1735. He was a man of extensive learning, and a faithful minister of his church. He died, rector of Queen Anne's Parish, 1770. Rev. Samuel Sloan became the rector of Coventry Parish, Somerset County, in 1766, and during the Revolution established a private academy at his residence, on the west side of the Pocomoke, a little above Newton. He continued teaching till near the time of his death, which took place in 1807.

of money. Thus we have the origin of the Charlotte Hall Academy.[1] In several of the counties, owing to particular circumstances, the free schools had been more successful. Suitable teachers had been obtained, and as a necessary consequence, boys from other counties, and from distant places, attended them. Besides these, as the province was a theatre for adventurers, some well-grounded classical teachers established schools where both the Greek and Latin languages were taught with ability. Our intimate intercourse and dependence upon England, induced men of large fortunes to send their sons abroad for education, and as both honors and profits were devised from proprietary patronage, young men, who aspired to distinction in the province, found advantage in friendships and connections formed in the mother-country; and graduates of Oxford and Cambridge, who had visited Epsom and New Market, were most likely to find favor in the sight of an English Governor.[2]

In 1782, Joseph Nicholson, James Anderson, John Scott, William Bordley, Benjamin Chalmers and Rev. William Smith, Visitors of Kent County School, represented to the General Assembly—

"That the said school hath of late increased greatly by an accession of students and scholars from various parts of the Eastern Shore of this State and the neighboring Delaware State; there being now about one hundred and forty students and scholars in the said school, and the number expected soon to increase to at least two hundred; . . that sundry of the students are preparing, and desirous to enter upon a course of philosophy, and must repair to some other State, at a very grievous and inconvenient expense, to finish their education, unless they, the said Visitors, are enabled to enlarge their plan of the said school, by engrafting thereon a system of liberal education in the arts and sciences, and providing necessary books and apparatus, with an additional number of masters and professors," . . and they accordingly pray that a law may be passed to enable them, the said Visitors, to enlarge and improve the said school into a college, or place of universal learning, with the usual privileges.

The legislature took the subject into serious consideration, "and being desirous to encourage and promote knowledge, within this State," at the April session of 1782, passed "an Act for founding a college at Chester-

[1] The first mention we find of this project appears in the Maryland *Gazette* of December 3, 1773, which submits a plan for uniting the county free schools of the four southern counties—St. Mary's, Charles, Calvert and Prince George's. Charlotte Hall was to be governed by a president and twenty-one trustees, of which fifteen should be a quorum. The legislature named: Governor Eden, president, George Plater, George Gowndrill, John Reeder, Thomas Bond, Richard Barnes, Philip Key and Henry Greenfield Sotheron, for St. Mary's; Richard Lee, Rev. Isaac Campbell, William Smallwood, Francis Ware, Josias Hawkins, George Dent and Dr. James Craig, for Charles; and Benedict Calvert, Rev. Henry Addison, Josias Beall, Robert Tyler, Joseph Sim, Thomas Contee and Dr. Richard Brooke, for Prince George's County. The property of each of the county free schools was to be transferred to this Board, to be used for the benefit of the school.

[2] One of the best private schools in the province was established by the Presbyterians of Somerset County, who had, at their own cost and expense, erected "large, commodious and elegant buildings on Back Creek, for a school sufficient for the comfortable accommodation of eighty students, which had been already carried on to the great improvement of the youths of this and the adjoining States." In 1779, it was incorporated with the following trustees: Rev. Jacob Ker, Levin Gale, David Wilson, Samuel Wilson, John Winder, Henry Jackson, Thomas Maddox, William Polk, Isaac Henry, Henry Waggaman and William Strawbridge. It was named "Washington Academy," or "Back Creek School."

town," to be called Washington College, "in honorable and perpetual memory of his Excellency General Washington, the illustrious and virtuous commander-in-chief of the armies of the United States."

In a short time the entire Eastern Shore was enthusiastic over the enterprise, and in less than three months after the Act of incorporation was passed over $14,000 was subscribed by private individuals for the support of the college. In compliance with a provision of its charter, the following distinguished Marylanders were appointed visitors in addition to those of the Kent County school: William Paca, John Page, Robert Goldsborough, Wm. Perry, Peter Chaille, James Lloyd, Joshua Seney, Thomas Smyth, Samuel Keene and William Thompson. Rev. William Smith, one of the visitors of Kent County school, was chosen president. On July 8th, 1782, he addressed a letter to Washington, asking permission to place his name at the head of the visitors and governors, but as it was out of the power of the commander-in-chief to give his attendance which the law required, he was compelled to decline. In May, 1784, however, he visited the college and subscribed his name as one of its visitors and governors. On the 11th of July, 1789, Rev. William Smith, D.D., the Hon. John Henry, of the United States Senate, and the Hon. Joshua Seney, of the House of Representatives, being a committee of the visitors and governors of the college, waited upon Washington upon his first election to the presidency, and on behalf of the corporation of visitors and governors, and the principal and faculty of professors of Washington College in the State of Maryland, and presented him with an address and the degree of Doctor of Laws.[1]

The following correspondence passed between the committee and Washington upon this occasion:

"To the President of the United States:

"SIR:—We, the corporation of Visitors and Governors, and the Principal and Faculty of Professors of Washington College, in the State of Maryland, actuated by the sincerest personal affection, as well as the purest public considerations, beg leave to embrace the present occasion of our anniversary meeting and commencement, to felicitate ourselves and our country upon your unanimous appointment to the Chief Magistracy in the general government of the United States.

"Revolving upon the vicissitudes and eventful history of the late war, every page of which bears ample and honorable testimony to the services which you have rendered to your country, and the exertion of those virtues and talents which have exalted your name to the first rank among the heroes and benefactors of mankind; we cannot but recall to mind the occasion of our former address to you, and your benevolent answer to the same.

"The General Assembly of Maryland, upon the establishment of the Seminary, having dignified the same with the auspicious name of Washington College, in honorable and perpetual memory of the services of the illustrious and virtuous commander-in-chief of the armies of the United States, we expressed our confidence, 'that amidst all the public monuments which your country sought to erect to you, even when living, none would

[1] Cokesbury College, in Abingdon, Harford County, was incorporated in 1784, with William Wilkins, Edward White, Henry Ennalls, John Carnan, James Anderson, Philip Rogers, Samuel Owings, Isaac Burneston, James McCannon, Emanuel Kent, John Chalmers, Henry Willis, Nelson Reed, Richard Whatcoat and Joseph Everett, as trustees.

be more acceptable than a Seminary of universal learning, expressly dedicated to your name, with a view to instruct and animate the youth of many future generations, to admire and to imitate those public virtues and patriot labors which had created for you a monument in the heart of every good citizen;—that we hoped you would permit your name to be placed at the head of the Visitors and Governors of the college, trusting that the time was then not very remote when by the termination of war, the infant institution might be enabled to salute you in person, and, like a dutiful child, as one of its first works, present the olive wreath and other emblems of peace to its father, guardian and friend.'

"Highly encouraging to us was your answer:

"'That, with pleasure, you would consent to have your name enrolled among the Visitors and Governors of the college, if it were not to the exclusion of some other, whose proximity, and other circumstances, might enable him to be a more useful member; and that as the Act of the General Assembly, which had given your name to the college, would remain a monument of their esteem, it made an impression on your mind, which could only be exceeded by the flattering assurance of the lasting and extensive usefulness of the seminary; and when that period should arrive when we could hail the blest return of peace, it would add to your pleasure, to see the infant seat of learning rising into consistency and proficiency in the sciences, under the nurturing hands of its founders.'

"The happy period is now arrived, when, through the blessing of God, upon the return of peace, this seat of learning hath attained to such proficiency in the sciences, as to wait upon you with the promised wreath of literary honors, which we trust you will not reject, although from an institution of inferior standing, yet not of inferior gratitude and affection, to the chief of those which have already dignified themselves by presenting you with the like honors.

"Bearing an ardent and unfeigned part in the admiration and applause of those virtuous and magnanimous sentiments, which, in obedience to the voice of your country, have led you forth once more from the enjoyment of domestic happiness, to a laborious and conspicuous participation of the cares of public life, at a most interesting crisis of our affairs; we fervently pray that the glory and felicity of our country—the true consummation of the patriot's labors—may be your crown in this world, and assure you an everlasting crown in the world to come!

"Signed by order, "WILLIAM SMITH, D. D.

"*June 24, 1789.*" "*President of the Corporation and Principal of the Faculty.*

The President's answer:

"To the Corporation of Visitors and Governors, and the Principal and Faculty of Professors of Washington College, in the State of Maryland.

"*Gentlemen:*

"Your very affectionate address, and the honorary testimony of your regard, which accompanied it, call forth my grateful acknowledgements. A recollection of past events and the happy termination of our glorious struggle for the establishment of the rights of man, cannot fail to inspire every feeling heart with veneration and gratitude towards the Great Ruler of events, who has so manifestly interposed in our behalf.

"Among the numerous blessings which are attendant upon peace, and as one whose consequences are of the most important and extensive kind, may be reckoned the prosperity of Colleges and Seminaries of learning.

"As, in civilized societies, the welfare of the State and happiness of the people are advanced or retarded, in proportion as the morals and education of the youth are attended to; I cannot forbear, on this occasion, to express the satisfaction which I feel on seeing

the increase of our seminaries of learning through the extensive country, and the general wish which seems to prevail for establishing and maintaining these valuable institutions.

"It affords me peculiar pleasure to know that the seat of learning under your direction hath attained to such proficiency in the sciences since the peace; and I sincerely pray that the great Author of the universe may smile upon the institution and make it an extensive blessing to this country. "GEORGE WASHINGTON.

"*New York, July 11, 1789.*"

The following preamble was attached to the diploma or "wreath of literary honor" referred to in the above address:

"Cum eum in finem Gradus Academici a majoribus nostris prudenter instituti fuerint, ut Viris qui de Religione, Republica et Litteris optime siut meriti publici honores decernerentur; Cumque Nobis et Omnibus praeclare compertum sit GEORGIUM WASHINGTON foederatarum Americae Civitatum Praesidem, non solum de Religione, Litteris, Republica, et toto etiam humano genere bene semper et multum meruisse, sed Bello ae queac Pace, communis omnium salutis appetentissimum, per gravissima Rerum Discrimina sese Civem praestantissimum, Libertatis ultorem felicissimum, Patriaeque Patrem amantissimum, ostendisse, Nos igitur," etc.

The first commencement of Washington College was held on the 14th of May, 1783. Its course of instruction embraced all the sciences and languages then taught in the oldest colleges of the country, while the number of students varied from one hundred and fifty to two hundred. The college, founded under such auspices, continued, with varying success, to discharge the obligations imposed by its charter, until January 1827, when the building was destroyed by fire. On the 4th of May, 1844, the Hon. E. F. Chambers laid the corner-stone of the new building, which was finished the next fall.

In 1784, the legislature, with a view to carry out its original designs, granted a charter to St. John's College, at Annapolis, which was joined with Washington College, to constitute a university with the name of the University of Maryland. The Rev. John Carroll, the first Roman Catholic Archbishop of the United States, and the Reverend Doctors William Smith and Patrick Allison, Richard Sprigg and John Sterett, were appointed agents to obtain subscriptions. In 1786, King William School, at Annapolis, was consolidated with the college, and in 1789, the latter began its operations with an endowment of $32,000, contributed by prominent citizens, and an annual grant from the State of £1,750 sterling, current money.

Baltimore City College was founded in 1803, and in the same year all the property belonging to colleges or county schools, were exempted from taxation. In 1805, donations to colleges by the legislature were discontinued, and the law constituting Washington College and St. John's College, the University of Maryland, was repealed.

CHAPTER XXXI.

HARDLY had they emerged from the dark clouds of a seven years' war, after privation and distress, alternate defeat and victory, when the statesmen of Maryland, who "never shrank from danger, and whose soldiers would not retreat,"[1] discovered that the most difficult task yet remained to be performed; that of confirming and perpetuating the liberty and independence, the securing of which had been the direct object of the Revolution. They saw, at the very outset, that to enable their small State to hold her own, measures must be taken to promote the rapid growth and prosperity of the population, and to develop the magnificent natural resources with which she had been endowed.

Western Maryland, with its rich valleys, its noble forest-clad mountains, its abundant streams and rivers, its mines of coal, iron and copper, its delightful climate and scenery of great and various beauty, had at an early period attracted settlers; and as its advantages became more widely known, and the dangers of savage invasions were over, crowds of hardy and industrious immigrants flocked thither, and the wilderness began to bloom with civilization. It now became a matter of high importance to open routes of easy communication between those remoter settlements and the Atlantic. Washington, who, at the close of the war, devoted himself to developing the resources of his native State, had become impressed with the importance of opening a route to the West, as early as the year 1754, when he accompanied Braddock in his march to the Monongahela; and about the year 1762, he projected a chain of improvements by the route of the Potomac "from Fort Cumberland, at Wills' Creek, to the Great Falls." This movement was a part of the scheme of the "Ohio Company" formed for developing their large tracts of land in the West. At a meeting held in Frederick in May, 1762, the following gentlemen were elected managers and were authorized to receive subscriptions for stock in the Potomac Company: Colonel George Mercer, Jacob Hite, William Ramsay, John Carlyle, John Hite, Joseph Watson, James Keith, James Hamilton, John Hough, John Patterson, and Abraham Hite, of Virginia, and Rev. Thomas Bacon, Dr. David Ross, Christopher Lowndes, Thomas Cresap, Benjamin Chambers, Jonathan Hagar, Thomas Prather, John Carey, Casper Shaaf, Robert Peter and Evan Shelby, of Maryland. Colonel George Mercer and Colonel Thomas Prather, were elected treasurers. At the same time the land about Ford Cumberland was laid off in town lots and sold at public auction.

[1] Hamilton's *History of the Republic*, iii., p. 68

It seems that nothing more was done towards improving the navigation of the Potomac until the close of the Revolutionary War. In pursuance of a resolve passed by the legislature, on the 31st of May, 1783, Charles Beatty, of Montgomery County, and Normand Bruce, of Frederick, were appointed to examine the Potomac River, and estimate the expense of making it "navigable through the several falls, and the time that the work might be performed in." These gentlemen, after a careful examination of the subject, made a report and estimate of the expense for removing obstructions in the Potomac from Fort Cumberland to the Great Falls, at Georgetown, which was laid before the legislature on the 15th of November, 1783. In their report, they represented that the Potomac could be made navigable from Fort Cumberland to the Great Falls, in two years, and that the total expense would be $92,000. At this session, the legislature took no action in the matter, but the people discussed the subject with much animation and interest among themselves and in the public press. Washington, in a letter to Thomas Jefferson, dated March 29th, 1784, gives his views in regard to this, the first work of internal improvement in America.

"More than two years ago," he says, "I was struck with the importance of it, and, despairing of any aid from the public, I became a principal mover of a bill to empower a number of subscribers to undertake, at their own expense, on conditions which were expressed, the extension of the navigation from Tide Water to Wills' Creek, about one hundred and fifty miles; and I devoutly wish that this may not be the only expedient by which it can be effected now. To get this business in motion, I was obliged, even on that ground, to comprehend James River, in order to remove the jealousies which arose from the attempt to extend the navigation of the Potomac. The scheme, however, was in a tolerable good train when I set out for Cambridge, in 1775, and would have been in an excellent way, had it not been for the difficulties which were met with in the Maryland Assembly, from the opposition which was given (according to report) by the Baltimore merchants, who were alarmed, and, perhaps, not without cause, at the consequence of water transportation to Georgetown, of the produce which usually comes to the market by land. . . . In this situation I left matters when I took command of the army. The war, afterwards, called men's attention to different objects, and all the money they could or would raise, was applied to other purposes."[1]

As soon as the Revolutionary War ended and he had retired to private life, his attention turned with renewed ardor to this his cherished scheme of improvement, and he entered upon an extensive correspondence for the purpose of enlisting the co-operation of prominent and influential gentlemen in Virginia and Maryland, and of adding to his store of information in regard to the subject. In August, 1784, he addressed a letter to Joseph Jones and James Madison, members of the Virginia Legislature, fully expressing his views, and recommending that deputies be appointed by the States of Maryland and Virginia to meet in conference, and agree upon the provisions of a bill that would receive the assent of both States. The recommendation was at once acted upon, and Virginia accordingly appointed General Washington, General Gates and Colonel Blackiston, to meet in conference at Annapolis,

[1] Sparks, ix., p. 31.

with such commissioners as Maryland should appoint. The legislature was not in session at the time, but as soon as it met on the 1st of November, 1784, the resolution passed by the General Assembly of Virginia was read, together with a petition presented on the 26th, "from sundry inhabitants of Maryland and Virginia, respecting the opening of the Potomac River." The subject being referred to the House of Delegates, that body on the 22d of December, 1784, thought the "subject to be of great importance, and worthy the immediate consideration of this government; and therefore we wish the Senate would appoint some of its members to join the gentlemen nominated by this House, to meet and confer with the commissioners appointed by the State of Virginia, respecting the regulations and provisions under which a company ought to be established, for the purpose of carrying into execution a plan for opening the navigation of Potomac, and a road between the said river and the most convenient western waters."

The Senate agreed to the message of the House and appointed Thomas Stone, Samuel Hughes and Charles Carroll, of Carrollton, to join Messrs. John Cadwalader, Samuel Chase, John De Butts, George Digges, Philip Key, Gustavus Scott and Joseph Dashiell, appointed by the House to meet and confer with the commissioners of Virginia.

Soon after the legislature assembled, General Washington and General Gates (Colonel Blackiston being prevented by indisposition) proceeded to Annapolis and induced the legislature to appoint commissioners to confer with them. As soon as their request was complied with, on the 22d of December, the convention met in Annapolis with General Washington as president and Randolph B. Latimer as secretary; all the commissioners being present except Mr. Blackiston.

The convention immediately proceeded to take into consideration "the subject of opening and improving the navigation of the river Potomac, and concerting a plan for opening a proper road between the waters of the Potomac and the most convenient western waters." In their report to the Legislatures of Virginia and Maryland on the 27th of December, they recommended, among other things, the removal of the obstructions in the Potomac, so as to make the same navigable from tide-water to the north branch of said river; to form a company for opening the river and to obtain the passage of a law by Virginia and Maryland to encourage and promote the undertaking; that these two States ought to become subscribers to the amount of fifty shares, and that Virginia ought to repeal her law for opening the Potomac. They also recommended Virginia and Maryland to appoint engineers to examine and survey the Potomac from Fort Cumberland to the mouth of Stony River, and the river Cheat, from about the Dunker Bottom to the present navigation," and if navigation could be extended above Fort Cumberland, that they then survey, lay off and mark from this point a road to Cheat River or continue the same to navigation which will most effectually establish communication between the said eastern and western waters. The road to be cut

and cleared not less than eighty feet, and properly improved and maintained in repair not less than forty nor more than fifty wide, at the joint expense of both States. They also recommend that each State appropriate $3,333⅓ for the purpose; and also request permission of Pennsylvania to lay out and improve a road through such part of that State as may be necessary, from Fort Cumberland to the navigable part of the Youghiogany.

The report was adopted by the House of Delegates, and Messrs. Cadwalader, Chase, De Butts, Digges, Key, Scott and Jos. Dashiell of the commisssoners on the part of that body, were appointed a committee to prepare and bring a bill in pursuance of the report of the convention. On the same day Mr. Cadwalader, from the committee, brought and delivered to the speaker, a bill entitled "an Act for establishing a company for opening and extending the navigation of the river Potomac;" which was, after a few days, with slight amendments, passed by both Houses, and became a law. This law was also passed by Virginia, and each State at the same time authorized a subscription of fifty shares of the capital stock, which was subsequently increased.

By the concurrent action of the two States the Potomac company was thus formed. The charter provided that the capital stock should consist of five hundred shares, of one hundred pounds, sterling, each, with the power of enlargement if necessary—that the navigation should be improved from tide-water to the highest practicable point on the North Branch, or to Fort Cumberland, so as to permit the passage of boats drawing twelve inches of water—that the company should be authorized "to construct canals and erect such locks and perform such other works as they may judge necessary" for the purpose—that the work should be commenced in one year, and the improvements be completed from the Great Falls to Fort Cumberland in three years, and from the Great Falls to tide-water in two years, under the penalty of a forfeiture of charter.

Such was the public affection for General Washington, that nearly the whole of the capital stock was subscribed for in a few months. The company was organized and went into operation on the 17th of May, 1785, Washington being elected its first president. He continued in the office by re-election until he was called to the presidency of the United States. It was doubtless supposed by those who matured and passed the Acts of Incorporation, that three years, and fifty thousand pounds, sterling, would be sufficient to complete the work upon the plan adopted, and within the designated limits. But the result proved that they were greatly in error, for when the three years had expired, the work was but little advanced; and, upon application of the company, Acts were passed by the legislatures of Virginia and Maryland in 1786, amendatory of the charter and allowing a further time of three years. In 1790, the time was again extended for three years, and so on from time to time until the year 1820, when the company became satisfied that the bed of the Potomac could not, by the expenditure of

any amount of money that they could command, be so improved as to answer the purposes intended, and it was at last merged into the Chesapeake and Ohio Canal Company which we shall mention more fully hereafter.[1]

During the discussion of works of internal improvement, on the 21st of August, 1784, Lafayette, who was then on a visit to the United States, arrived at Annapolis. He remained two days as the guest of the governor, and then departed for Mount Vernon to visit Washington. He returned on the 26th and went to Baltimore where he was entertained on the 1st of September, at a public dinner given by the merchants. While here, he was received with distinguished marks of love and respect, and in answer to a congratulatory address from the citizens he said:

"Your affectionate welcome makes me feel doubly happy in this visit, and I heartily enjoy the flourishing situation in which I find the town of Baltimore. Amidst the trying times which you so kindly mention, permit me with a grateful heart to remember, not only your personal exertions as a volunteer troop, your spirited preparations against a threatening attack, but also a former period when, by your generous support, an important part of the army under my command was forwarded—that army to whose perseverance and bravery, not to any merit of mine, you are merely indebted. Attending to American concerns, gentlemen, it is to me a piece of duty as well as a gratification to my feelings. In the enfranchisement of your ports and their peculiar situation, it was pleasing to France to think a new convenience is thereby offered to a commercial intercourse, which every recollection must render pleasing, and which from its own nature and mutual goodwill, cannot fail to prove highly advantageous and extensive. Your friendly wishes to me, gentlemen, are sincerely returned, and I shall ever rejoice in every public and private advantage that may attend the citizens of Baltimore.

"With every sentiment of an affectionate regard, I have the honor to be, gentlemen, your obedient humble servant, "LA FAYETTE."

After his visit to Baltimore, Lafayette made a tour of the Eastern States, and then joined Washington in Richmond, who was then urging Virginia to secure a share of the Western trade, by connecting the Potomac with the waters beyond the mountains. Washington returned with Lafayette to Mount Vernon, where the latter passed several days, after which Washington accompanied him to Annapolis. The legislature being in session at the time, embraced the opportunity of personally testifying their grateful sense of his important services to the United States during the war. He was received by all classes with the highest marks of respect and esteem, and the legislature, besides presenting him with a friendly address, passed a law declaring him and his heirs male, forever citizens of Maryland.

The address from the legislature was signed by the Speaker of the House and President of the Senate, and was presented to Lafayette by a joint committee, composed of Messrs. Charles Carroll, of Carrollton, and De Butts, of the Senate, and Philip Key, George Digges and James Hindman, on the part of the House. In reply, Lafayette said:

"On this opportunity, so pleasingly anticipated, of my respectful congratulations to your General Assembly, I meet such precious marks of your partiality, as most happily

[1] *Chesapeake and Ohio Canal Report for 1851.*

complete my satisfaction. Amidst the enjoyments of allied successes, affection conspires with interest to cherish a mutual intercourse, and in France you will ever find that sympathizing good-will, which leaves no great room for private exertions. With the ardour of a most zealous heart, I earnestly hope that State, ever mindful of the public spirit that she has conspicuously displayed, will, to the fullest extent, improve her natural advantages, and in the Federal Union, so necessary to all, attain the highest degree of particular happiness and prosperity."

The near approach of the waters of the Chesapeake and Delaware suggested, at a very early period, the idea of canal communication between these two bays. The earliest information upon this subject that we have seen, is found in Dankers and Sluyter's journal of a tour in Maryland in 1679-80, in which, after referring to a "cart-road made from Apoquemene, a small village situated upon a creek, to Bohemia Creek or River," in the neighborhood of the residence of Augustine Herman, they say:

"Upon this road the goods which go from the South River to Maryland by land are carried, and also those which pass inland from Maryland to the South River, because these two creeks namely, the Apoquemene and the Bohemia, one running up from Maryland and the other from the Delaware River, as the English call the South River, come to an end close to each other, and perhaps shoot by each other, although they are not navigable so far; but are navigable for eight miles, that is, two Dutch miles of fifteen to a degree. When the Dutch governed the country the distance was less, namely, six miles. The digging a canal through was then talked of, the land being so low, which would have afforded great convenience for trade on the South River, seeing that they would have come from Maryland to buy all they had need of, and would have been able to transport their tobacco more easily to that river than to the great Bay of Virginia, as they would now have to do for a large part of Maryland. Besides, the cheap market of the Hollanders in the South River would have drawn more trade; and if the people of Maryland had goods to ship on their own account, they would do it sooner and more readily, as well as more conveniently in the South River than in the great bay, and therefore would have chosen this route, the more so because as many of their goods perhaps would, for various reasons be shipped to Holland as to England. But as this is a subject of greater importance than it seems upon the first view, it is well to consider whether it should not be brought to the attention of higher authorities than particular governors. What is now done by land in carts might then be done by water for a distance of more than six hundred miles."[1]

It is probable, however, that little attention was paid to the subject of canals, in this direction before the year 1761 or '62, when the great system of canals, promoted by the Duke of Bridgewater, was begun in England. Mr. Thomas Gilpin, about 1767 or 1768, with the assistance of some gentlemen, made a number of surveys and estimates for a canal from Duck Creek to the head of Chester, which he then owned, and where he occasionally resided. From time to time a number of routes were surveyed and estimated from the head of Chester, Bohemia and Elk Rivers, and from Red Lion Creek to Back Creek. When Mr. Benjamin H. Latrobe surveyed the route, about the year 1806, he mentioned that thirty-two surveys had been previously made, and before it was finally completed, there were not less than fifteen more.

[1] *Memoirs of Long Island Historical Society*, 1, p. 209.

The first legislative step to effect the object was taken by the Legislature of Maryland, who, on the 7th of December, 1799, passed a law to incorporate a company by the name of the Chesapeake and Delaware Canal Company. By this Act, Tobias Rudolph, and William Alexander, of Elkton, Dr. William Matthews and Samuel Davis, at the head of Sassafras River, in Kent County, Richard Tilghman, fourth, and William Barroll, of Chestertown, Richard Tilghman Earle, and James Clayland, Jr., of Centreville, and James Earle, Jr., and Owen Kennard, of Easton, were authorized to co-operate with the States of Delaware and Pennsylvania, in the cutting of a canal between the Chesapeake Bay and the Delaware River, and to open books for subscriptions to the amount of $500,000, in shares of $200 each. This Act, however, was not to take effect until the Legislature of Pennsylvania should declare the Susquehannah River to be a highway, and authorize individuals or bodies corporate to remove obstructions therein, within a period not exceeding three years, from the first day of March, 1800.[1]

It was not, however, until the second Monday in May, 1803, that a sufficient number of shares were subscribed to complete the organization of the company. At that time a large meeting of the stockholders assembled at Wilmington, where they elected William Tilghman, afterwards Chief Justice of the State of Pennsylvania, J. C. Fisher, George Fox, Joshua Gilpin, for Pennsylvania; Mr. Tatnall, Mr. Johns and James Bayard, of Delaware, and Messrs. Chew, Gale and Adlum, for Maryland, as their president and directors. They chose as engineers and surveyors, Benjamin H. Latrobe, Cornelius Howard, brother of General John Eager Howard, and Mr. Thompson, of Pennsylvania. To these was added Mr. Blaney, of New Castle, Delaware. After numerous surveys, the route by the way of Elk River was decided upon and the work commenced on the 2d of May, 1804, and was continued with various interruptions until the 4th of July, 1829, when it was completed, and water admitted into the whole line.

On the 26th of November, 1784, James Rumsey, a native of Cecil County, petitioned the legislature for the passage of an Act "vesting in him the sole and exclusive right, privilege and benefit of constructing, navigating and employing boats constructed upon a model by him newly invented, upon the creeks, rivers and bays within this State." It was read and referred to Messrs. McMechen, O'Neale and G. Scott. After some consideration the committee

[1] "As early as 1783, the Legislature of Maryland passed an Act incorporating Sam'l Hughes, William Augustine Washington, Clement Hollyday, Nathaniel Ramsay, William Smith, Wm. Goodwin, Samuel Smith, Archibald McCalister, Robert Ballard, Thomas Russell, Daniel Bowley, William Neill, Charles Ridgely, John Eager Howard, Samuel and Robert Purviance, George Leggett, Robert Young Stokes, Benedict Edward Hall, William Smith, Aquila Hall, John Churchman, Daniel Durbin, Thomas Peters, Richard Ridgely, John Davidson, —— Wallace, —— Johnson and —— Muir, Josias Carvil Hall, Richard Potts, Daniel Hughes, Jeremiah Townley Chase, John Rodgers, Charles Carroll, of Carrollton, Edward Lloyd, James Murray, Otho Holland Williams and Henry Lee, a body corporate under the name of "The Proprietors of the Susquehannah Canal," for the purpose of "making the river Susquehannah navigable from the line of this State to tide-water."—Hanson's *Laws*.

A law of similar effect was passed by the Legislature of Pennsylvania.

on the same day reported, "that they have examined the allegations therein contained, and find them true, and are of opinion that the said invention will be of great utility to facilitate the inland navigation of this State, and that a law pass agreeably to the prayer of said petition." At the same session the legislature passed an Act to invest him "with an exclusive privilege and benefit of making and selling new invented boats on a model by him invented."[1]

To demonstrate the feasibility of his project, James Rumsey had, in September, 1784, exhibited a boat which moved against the current of the Potomac River, to General Washington and a number of friends who had assembled to witness this great novelty. General Washington was highly gratified with the experiment, and gave Rumsey the following certificate, dated the 7th of September, 1784, of the efficiency of his boat, which he exhibited to the members of the legislature, and no doubt hastened the action on his invention. Washington says:

"I have seen the model of Mr. Rumsey's boats, constructed to work against stream, examined the powers upon which it acts; been eye witness to an actual experiment in running water of some rapidity; and give it as my opinion (although I had little faith before) that he has discovered the art of working boats by mechanism and small manual assistance against rapid currents; that the discovery is of vast importance; may be of the greatest usefulness in our inland navigation; and if it succeeds, of which I have no doubt, that the value of it is greatly enhanced by the simplicity of the works; which, when seen and explained, may be executed by the most common mechanic."

This boat appears to have been propelled by paddles and setting poles, the motion being communicated by hand. In the course of the fall and winter he directed his efforts to the development of steam as a motive power, which he "had long conceived would become of the greatest consequence in navigation." He immediately applied himself to perfect his steam engine, and induced ex-Governor Thomas Johnson, the friend of Washington, to give him his patronage and assistance. Thomas Johnson was at this time the owner and proprietor of Catoctin Furnace, near Frederick, where a portion of the necessary machinery was forged, while the boiler, two cylinders, pumps, pipes, etc., were manufactured in Baltimore, by Christopher Raborg and Charles Weir. Some portion of the works were made at the Antietam Iron Works. The boat itself was built on the Potomac in the neighborhood of Shepherds Town, and in December, 1785, was brought down the river to

[1] In January, 1786, John Fitch also petitioned the legislature for assistance "in bringing his theory of the elastic force of steam to experiment;" but the condition of the finances of the State was such that the legislature could not advance public money to assist the petitioner, notwithstanding they were "strongly inclined to believe the probability of the success promised by the theory."

Englehart Cruse, in the Maryland *Journal* of May 1, 1789, announces to the public that he constructed, in 1787, a steam engine for raising water for grist, oil and chocolate mills, forges, manufactories, water works, etc, and flatters himself "with having now a steam engine erected with a number of improvements." It was on exhibition in Baltimore, at the head of the basin. He also invented a steam dredging machine.

the mouth of the Shenandoah, and at Harper's Ferry, on the 14th of March, 1786, a trial was made of the FIRST STEAMBOAT.[1]

At the close of the war, one of the first objects which claimed the attention of congress was the restoration of the public credit, and the establishment of a common fund for the extinction of the debts incurred by the Revolution. It was obvious that the main source of revenue was the imposition of duties and imports; but these congress had no power to impose under the articles of confederation, without the assent of all the States.

Maryland was aware of the low ebb to which the Federal treasury was reduced, and "was fully sensible of the great importance of keeping it replenished, so as to enable congress to comply with its engagements to the public creditors." "A bankruptcy must soon take place," she declared in January, 1775, "if greater exertions are not made throughout the United States to pay the interest of our national debt. All the consequences of a national bankruptcy cannot be foreseen; but that such an event would greatly disturb our domestic tranquillity, and diminish our weight in the scale of nations, and lessen our national character, must be obvious; it might even be followed by effects still more dreadful a dissolution of our confederation, anarchy, civil war, and another revolution." "In this point of view," her senate adds, "the importance of complying with the requisitions of congress for supplies of money must strike every one."

To preserve "most inviolably and religiously her plighted faith and honor," and to discharge a portion of the obligation growing out of the war, Maryland determined to give congress the power, which it did not possess under the Articles of Confederation, to impose a duty on all the foreign imports into the State.

At the April session, in 1782, the General Assembly, after considerable opposition on the part of the Senate, passed a law[2] vesting—

[1] This boat was about eighty feet long, and was propelled by a steam engine, which worked a vertical pump in the middle of the vessel, by which the water was drawn in at the bow, and expelled at the stern, through a horizontal trunk in the bottom. The reaction of the effluent water carried her at the rate of four miles an hour, when loaded with three tons, in addition to the weight of her engine (of about a third of a ton). The boiler held no more than five gallons of water, and needed only a pint of water at a time; and the whole machinery did not occupy a space greater than that required for four barrels of flour. In 1788, the Rumsey Society, of which Franklin was a member, was formed in Philadelphia, to aid him. He went to London, where a similar body was formed, a boat and machinery built for him, and he obtained patents in Great Britain, France and Holland. A successful experiment was made on the Thames, in December, 1792; and he was preparing another, when he died, on the 23d of December. In 1839, the Kentucky Legislature presented a gold medal to his son, "commemorative of his father's services and high agency in giving to the world the benefits of the steamboat." A contemporary of James Rumsey was John Fitch, a man of great mechanical resources and inventive powers. Rumsey published a pamphlet, in Philadelphia, May 7, 1788, wherein he denounced Fitch in no measured terms, intimating that he (Fitch) got his idea of a steamboat from a description of Rumsey's boat, given him by a Captain Bedinger. Rumsey published a number of affidavits to prove that he was the original inventor of the steamboat, and among the rest, a letter from General Washington to prove that he had spoken to him of employing steam as a prime mover.

[2] During the Revolution, registers of vessels were granted by the governor, and by the Act of 1780, chapter xxviii., the same authority was given to the naval officers of the State.

"The United States, in Congress assembled, to impose a duty of five *per centum ad valorem* on all imported goods, and on all prizes and prize goods, for the payment of the debt contracted by congress during the war."

By this act the payment of the duty aforesaid was to continue for twenty-five years; the collectors to be chosen by congress, and the Act to be in force when adopted by all the States, in accordance with the resolve of congress, of the 3d of February, 1781.[1]

This part of the financial plan met with the greatest opposition from a large majority of the other States, and failed to receive the assent of all.

In 1783 the whole amount of the debt of the United States was ascertained to be about $42,000,000, the annual interest of which was $2,415,956. To provide for the payment of this indebtedness, and for the public expenditures, congress, on the 18th of April, recommended to the States, as being "indispensably necessary to the restoration of the public credit, and to the punctual discharge of the public debts," to vest congress with power to levy certain specified duties on spirits, wines, teas, pepper, sugar, molasses, cocoa and coffee, and a duty of five *per cent. ad valorem*, on all other imported goods. These duties were to be applied to the payment of the public debt, and to continue for twenty-five years; the collectors to be appointed by the States, but removeable by congress.

The States were also required to raise, for the same object, effectual revenues for supplying the proportion of $1,500,000, annually, exclusive of duties on imports; the proportion of each State to be fixed, according to the Articles of Confederation.[2]

To enforce this system, which was not to take effect until adopted by all the States, congress in an address appealed to the gratitude and pride, as well as the justice and plighted faith of the States. This, however, did not have the desired effect, for the plan was only tardily accepted by most of the States, and utterly neglected by others, and never went into operation.

[1] On the 14th of June, while the matter was under discussion in the Assembly, the Senate sent the following dissenting message to the House:

"We dissent:

"Because, by the bill, congress are vested, contrary to our Form of Government, with legislative authority, and with powers inconsistent with the second article of Bill of Rights, which declares that the people of this State ought to have the sole and exclusive right of regulating the internal government and police thereof, powers which so manifestly alter our constitution, that the bill ought, in our opinion, to have passed in the mode prescribed by the fifty-ninth article of the Form of Government, and been left to the people for their consideration.

"Because we see, with painful humiliation, in derogation of our sovereignty, powers are to be exercised and officers to be appointed, over whom the supreme authority of the State will have no control; officers whose illegal and oppressive acts must remain uncurbed by our laws, and whose insults on a degraded people must be borne with a tame and disgraceful submission.

"Because a grant of such magnitude, for so great a length of time, particularly burthensome to the State, unequal on individuals, and accompanied with such extensive powers, has a manifest tendency towards the establishment of an overgrown and dangerous power, may produce a contrarity of intent between congress and the several States, may disturb the peace and happiness of America, raise disquietude, distrust and jealousy in the minds of the people, and, in the end, prove the unhappy source of disunion and separation.

"MATTHEW TILGHMAN,
"JOHN SMITH,
"CHARLES CARROLL, Barrister."

[2] According to this plan, $141,517 was Maryland's proportion.

Maryland, however, ever ready to pay her honest and just obligations, immediately, on receipt of the resolves of congress, at the first meeting of the assembly in June, 1783, passed "an Act to invest the United States in congress assembled, with a power to levy for the United States certain duties on imported foreign goods, wares and merchandise, as a fund for the payment of the debt contracted by congress during the late war."

Not only was Maryland willing to pay her proportion of the public debt, but she also declared her willingness by the Act of 1774, to "establish funds to secure the payment of the annual interest thereon." In the preamble to this Act the legislature expressed the sentiment of the people of the State when they said "justice and policy require that this State ought, on all occasions, most inviolably and religiously to preserve its plighted faith and honor, and to use every means in its ability and power to comply with its engagements to its creditors, without any discrimination, preference or deduction, and to provide sufficient funds to secure the payment of all debts due from the public within such reasonable time as the circumstances of the people will permit, and if possible annually to discharge part of the principal of the public debt, and at all events the interest accruing thereon."

In most of the other States local interests and prejudices interfered, and laws were enacted levying imposts, which disregarded all uniformity. Among these was Virginia, whose discriminating laws lost her at this period a great portion of her commerce, and with it the revenue which in part originated the movement. The desparity is readily seen from the table of imports which was established between the two States. Maryland imposed a duty of one shilling and six pence per ton on goods of those *in treaty*, two shillings and eight pence on those *not* in treaty on British goods, six shillings and eight pence and two shillings extra per ton on other goods. Virginia levied three shillings and six pence on those *in treaty*, six shillings and six pence on those *not* in treaty, besides two *per cent.* extra.[1]

In consequence of this difference of trade, representations were made to the Virginia Legislature for the correction of the evil; and it was asserted "that her commerce had passed into other States, and that what she lost Maryland gained by her lower duties." The commerce of the Chesapeake after the Revolution made a rapid advance, and as the geographical position of Virginia rendered it extremely difficult to establish an efficient and at the same time an independent system of duties in opposition to Maryland, she, at a very early period, endeavored to arrange a compact with the State in regard to the conflicting rights and regulations which affected both.

On the 22d of November, 1777, congress recommended to the States of Maryland, Virginia and North Carolina, the appointment of commissioners to meet at Fredericksburg, Virginia, on the 15th of January, 1778, to regulate and ascertain the price of labor, manufactures, internal produce and commodities imported from foreign countries, military stores excepted, and

[1] Hamilton's *History of the Republic*, iii., p. 147.

also to regulate the charges of inn-holders. In compliance with this resolve, the General Assembly of Maryland, on the 16th of December, selected the following commissioners to meet those of Virginia and North Carolina, at the time and place: John Steward, Jonas Beale, Norman Bruce, Brice T. B. Worthington,[1] and Ezekiel Forman. Charles Carroll, of Carrollton, Thomas Stone and the President of the Senate, were appointed to draft instructions. For various reasons the convention did not effect its object, but Virginia, still desiring "to consider of the most proper means to adjust and confirm the rights of each to the use and navigation of, and jurisdiction over the Bay of the Chesapeake, and the rivers Potomac and Pocomoke, in order to prevent any difference on these subjects which may interrupt that desirable harmony between the two countries, which is equally the interest of both to cultivate," on the 9th of December, 1777, passed a resolution appointing three commissioners to meet those to be appointed by Maryland.

This resolution was laid before the Maryland Assembly at its November session of the same year, and on the 21st of December, it appointed Daniel of St. Thomas Jenifer, Thomas Stone and Samuel Chase, the three commissioners, to meet those from Virginia at Alexandria, on Monday, the 2d of February, 1778. Messrs. Charles Carroll, of Carrollton, Thomas Stone and Brice T. B. Worthington, who had been appointed a committee to draft their instructions, on the 22d of December, reported the following instructions to the Maryland Commissioners:

"Instructions to Daniel of St. Thomas Jenifer, Thomas Stone and Samuel Chase, appointed commissioners to meet the commissioners of the commonwealth of Virginia, for the purpose of settling the navigation of, and jurisdiction over that part of the Bay of Chesapeake, within the limits of Virginia, and over the rivers Potomac and Pocomoke.

"The General Assembly of Maryland reposing great trust and confidence in your discretion, abilities and integrity, submit to your wisdom and management the settling and extent of the jurisdiction proper to be exercised by this State and the Commonwealth of Virginia over that part of the Bay of Chesapeake lying within the limits of Virginia, and over the rivers Potomac and Pocomoke, as also the free navigation in those waters.

"These are matters of the utmost consequence to the people of both States, and if happily settled in such manner as to give mutual satisfaction, will contribute to keep up and perpetuate that harmony so essential to the interests of neighboring States.

"As it is not intended that the settlement made between the respective commissioners should be final or binding till ratified by the General Assembly of each State, for your government in considering the business, we think proper to instruct you in the following particulars:

"I. You are to insist that the Commonwealth of Virginia shall expressly relinquish every claim of right to impose tolls on any vessels whatever sailing through the Capes of Chesapeake Bay to the State of Maryland or returning from this State through the said Capes, outward bound; this you are to insist on as a condition *sine qua non*, and if not acquiesced in by the commissioners from the Commonwealth of Virginia, you are to break up the conference, and not enter into the discussion of any of the matters hereinafter mentioned.

[1] Worthington resigned, and Dr. Thos. Sprigg Wootten was appointed to fill the vacancy.

"II. You are to endeavor to settle the point of jurisdiction over that part of the Bay lying within the limits of Virginia in the following manner: That all piracies, crimes or offences committed on the said part of the Bay by the subjects of this State, or by any other persons not subjects of the Commonwealth of Virginia, against the subjects of this State, shall be tried in the court of this State, which has, according to the laws of this State, cognizance of the offence; and that all piracies, crimes and offences committed as aforesaid, by the subjects of Virginia, or by any other persons not subjects of this State, against any subject of Virginia, shall be tried in the Court of the Commonwealth of Virginia, which, by the laws thereof, has cognizance of the offence. And if any person shall fly from justice from either of the said States, such person may be taken upon the said water by process from the State from which such persons shall fly as aforesaid. That piracies, crimes and offences committed as aforesaid, by persons not subjects of either State, against persons not subjects of either State, be tried in the courts of the State in which the offenders shall be first seized in order to be brought to justice.

"III. You are to endeavor to obtain that the use and navigation of the river Potomac and Pocomoke shall be free to the subjects of both States, and to all other persons trading to either State, and that the said river be considered as a common highway free to all persons navigating the same. Provided, nevertheless, that each State shall have a right of imposing duties or customs on vessels coming into its respective ports on the said rivers, and unloading therein their cargoes or part thereof.

"The jurisdiction to be exercised by each State over the rivers aforesaid cannot, in the opinion of this Assembly be put on a better and more equitable footing than that in which you are instructed to settle the jurisdiction over that part of the Bay within the limits of the Commonwealth of Virginia."

As Maryland was not particularly anxious to benefit Virginia at her own expense, and as Virginia was the party more especially interested, nothing was effected at this convention.

On the 28th of June, 1784, Virginia made another attempt to settle the difficulties between the two States, by again appointing commissioners to meet those to be appointed by Maryland "to frame such liberal and equitable regulations touching the jurisdiction and navigation of the waters of Chesapeake Bay, and the rivers Potomac and Pocomoke, as may be mutually advantageous to the two States." This resolution was laid before the Assembly of Maryland at its November session, 1784, and on the 16th of January, 1785, it appointed Thomas Johnson, Thomas Stone, Samuel Chase and Daniel of St. Thomas Jenifer "commissioners for this State to meet the commissioners appointed by the Commonwealth of Virginia, for the purpose of settling the navigation of, and the jurisdiction over, that part of the Bay of Chesapeake which lies within the limits of Virginia, and over the Potomac and Pocomoke," subject, however, to the approval of the General Assembly. They were to meet the commissioners of Virginia at Alexandria, on Monday, the 21st of March, 1785, but at the earnest solicitation of Washington, they met at Mount Vernon on the 28th. Maryland was represented by Daniel of St. Thomas Jenifer, Thomas Stone and Samuel Chase; Virginia, by George Mason and Alexander Henderson. The commissioners mutually agreed to a formal compact between the States, which was substantially as follows:

"I. Virginia disclaimed all right to impose any toll, duty or charge, prohibition or restraint, on any vessel sailing through the capes of Chesapeake Bay trading to or from Maryland; that the waters of the Chesapeake Bay and the river Pocomoke within the limits of Virginia be for ever considered common highway, free for the use of vessels owned in Maryland, or carrying on commerce with the State or its citizens; that all such vessels should enter the waters of Virginia without the payment of port duties or any other charge, and that the vessels of Maryland should have free navigation in any part of the State.

"II. The State of Maryland confers the same privileges on vessels trading to or from Virginia.

"III. Vessels of war, the property of either State, to be free of all charges.

"IV. Vessels not exceeding forty feet keel, nor fifty tons burthen, owned in either State, with a permit from the naval officer from which they depart, might trade in either State, free of charge; provided they only have on board the produce of the said States.

"V. All merchant vessels (except those described in the IV Article), navigating the Potomac were to clear at some naval officer on the river in one or both States; and if entered in both States, were subject to tonnage in each State in proportion to the merchandise carried to or from the said State.

"VI. The Potomac to be a common highway to citizens of the United States and those in amity with the same States, trading to or from Virginia to Maryland.

"VII. The citizens of Maryland and Virginia, respectively, to have full property in the shores of the Potomac, adjoining their lands, with all emoluments etc., with the privilege of running out wharves or any other improvement, so as not to obstruct the navigation; but the right of fishing was to be common to and equally enjoyed by the citizens of both States; provided they did not interfere with the fisheries, seines or nets on the shores of the other.

"VIII. All laws for the preservation of fish, navigation, quarantine, etc., to be made with the consent of both States.

"IX. Light-houses, beacons, buoys, signals, etc., to be erected and maintained upon Chesapeake Bay, between the sea and the mouths of the rivers Potomac and Pocomoke, at the expense of both States; also those on the Potomac. Virginia to pay three-fifths, and Maryland the remainder.

"X. For the trial of persons charged with piracy.

"XI. For the libelling of vessels for debt; absconding criminals, debtors, etc.

"XII. Persons owning lands in one State and residing in the other, had liberty to transport to their own State the produce of such lands, etc., free of duty.

"XIII. These articles to be laid before the Legislature of each State for its adoption, upon which they were to be confirmed and ratified by a law of each State, and were never to be repealed or altered by either, without the consent of the other."

The report was signed by G. Mason, and Alexander Henderson, commissioners for the Commonwealth of Virginia, and Daniel of St. Thomas Jenifer, Thomas Stone and Samuel Chase, commissioners for the State of Maryland, and was presented to the Maryland Legislature for its action, on November 17th, 1785. They also presented a letter addressed to Governor Dickinson, of Pennsylvania, relating to the clearing and extending the navigation of the Potomac River.

On reading the compact of Virginia and Maryland, on the 21st of November, the House of Delegates ordered Messrs. Chase, Letherbury, De Butts, Dashiell, and B. Worthington, to bring in a bill "to approve, confirm and

ratify the compact made by the commissioners." On the same day the bill was reported, and finally passed both houses. On the 22d, the House also adopted a series of resolutions, among which, were the following: After requesting Virginia to join in an application to congress for leave to form a compact between the two States, for a naval defence on the Chesapeake and Potomac, which were unprovided for by Congress, they

"III. *Resolved*, That it is the opinion of this House, that foreign gold and silver coin, received in the two States as the current money thereof, should pass in the two governments at the same value, according to its fineness and weight; and that, if the species of coin could be regulated at the same nominal value, it would be of great convenience to the commerce between the citizens of the two States.

"IV. *Resolved*, That it is the opinion of this House, that the damages on foreign bills of exchange protested, ought to be the same in both States, and that foreign protested bills of exchange should be considered, in all cases and to all purposes, as of equal rank with debts upon contract in writing, signed by the party.

"V. *Resolved*, That it is the opinion of this House, that drafts by the merchants of either State upon those of the other, in the nature of inland bills of exchange, should be subject by law to official protest by a notary public, and that the damages for non-payment should be the same in both States.

"VI. *Resolved*, That it is the opinion of this House, that it is essential to the commerce and revenue of the Commonwealth of Virginia, and of this State, that duties on imports or exports, if laid, should be the same in both States; and that it is proper for the legislatures of the said States, at their annual meeting in the autumn, to appoint commissioners to meet and communicate the regulations of commerce and duties proposed by each State, and to confer on such subjects as may concern the commercial interests of both States, and within the power of the respective States; and that the number of the said commissioners should be equal, not less than three, nor more than five, from each State; and that they should annually meet in the third week of September, if required by the Legislature of either State or the commissioners thereof, at such places as they should appoint.

"VII. *Resolved*, That it is the opinion of this House, that these resolutions should be communicated to the legislatures of Delaware and Pennsylvania; and that they be requested to nominate commissioners for the purpose expressed in the sixth resolution, and that his Excellency the Governor, be requested to transmit immediately copies of the said resolution to those States."

These resolutions, after being assented to by the Senate, were sent (with an attested copy of the Act to confirm the compact of the commissioners) to the legislatures of Virginia, Pennsylvania and Delaware. In these resolutions lay the germ of that feeling which led to a general convention of representatives of all the States, the abandonment of the old confederation, and the adoption of the Federal Constitution.

Delaware and Pennsylvania, on receipt of the Maryland resolutions, immediately accepted the invitation to appoint commissioners in accordance with the sixth and seventh resolve, and upon transmitting the intelligence to the Maryland Assembly, that body on the 20th of February, 1786, elected Samuel Chase, Samuel Hughes, Peregrine Letherbury, William Smith and William Hemsley, commissioners, "to meet commissioners from the States of Pennsylvania and Delaware, for the purpose of considering and digesting the most

proper measures for improving the inland navigation of the Susquehannah River, and the waters communicating with it, and for effecting a navigable communication between the Bays of Chesapeake and Delaware, and also to confer on any other subject which may tend to promote the commerce and mutual convenience of the said States."

The resolutions of Maryland were read in the Virginia Assembly, while the proposition for granting the temporary powers to congress, which had been adopted by Maryland, was under consideration, and that body immediately passed a resolution on the 21st of January, 1786, appointing Edmund Randolph, James Madison, Jr., Walter Jones, St. George Tucker, Meriwether Smith, David Ross, William Ronald and George Mason commissioners, to meet such deputies "as may be appointed by the other States in the Union, at a time and place to be agreed on, to take into consideration the trade of the United States, to examine the relative situation of trade of the said States, to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony, and to report to the several States such an Act relative to this great object, as when unanimously ratified by them, will enable the United States in congress assembled effectually to provide for the same."[1]

Thus, Virginia, who had just entered into a trade compact with Maryland, desired to bring into the proposed convention of Maryland, Pennsylvania and Delaware, all the States of the Union. The circular letter which transmitted the resolution to the several States, proposed that the commissioners should meet at Annapolis in the following September. The Legislature of Maryland being still in session, the letter and resolution of Virginia were laid before the Senate on the 1st of March, and after being read were referred to the consideration of the House of Delegates. After proper consideration, that body on the 8th sent a message to the Senate, in which they said:

"We propose to ballot at 2 o'clock this day for commissioners to meet commissioners from Virginia, Pennsylvania, Delaware and the other States in the Union, to confer on such subjects as may concern the commercial interests of the said States, and to consider whether an uniform system in the commercial regulations of the States is necessary and practicable. We think seven commissioners ought to be appointed, and have nominated Mr. F. Bowie and Mr. Digges to join such members of your House as you may appoint to examine the ballot boxes. The following gentlemen are put in nomination as commissioners by this House, to wit: Thomas Johnson, Samuel Chase, Wm. Paca, Charles Carroll, of Carrollton, Daniel of St. Thomas Jenifer, John Hall, Thomas Stone, Robert Hanson Harrison, Wm. Hemsley, Otho H. Williams and Tench Tilghman, to be balloted for."

The Senate declined to go immediately into the election of commissioners as proposed, as they desired to take some time before they came "to a conclusion on a matter of so much consequence." On the 11th, however, they sent to the House the following message:

[1] Elliott's *Debates*, i., p. 115.

"We cannot accede to the proposal in your message of Wednesday [March 8th], by Mr. Stone, to ballot for commissioners to meet commissioners from the other States in the Union, for the purpose of considering an uniform system of commercial regulations. The meeting proposed appears to us liable to some weighty objections, which have induced us to decline going into the appointment. This State has already given certain powers to Congress, by a public Act, respecting the regulation of the trade of the United States; by that body, who are finally to adopt the regulation and carry it into execution, we think it most suitable that the system should be digested and formed.

"A speedy adoption of the resolution of Congrees, of the 18th of April, 1783, we esteem of the utmost importance to the Union; we are, therefore, averse to any measure which may possibly tend to procrastinate or counteract the collection of the revenue indispensably necessary towards enabling Congress to pay the interest of the national debt. Besides, the meeting proposed, may be misunderstood or misrepresented in Europe, give umbrage to Congress, and disquiet the citizens of the United States, who may be thereby led erroneously to suspect that the great council of this country wants either the will or the wisdom to digest a proper uniform plan for the regulation of their commerce. The power must be given to Congress to effectuate any system which might be adopted the proposed meeting of commissioners. When the power shall be vested in congress by all the States, that body, we doubt not, will be willing and competent to form an equal and judicious system for regulating the trade of these States.

"The meeting of the commissioners, as proposed by the Commonwealth of Virginia, we are convinced was made with the best intentions, and with a view to promote the general interest of the Union; this meeting, however, should it take place, may produce other meetings, which may have consequences which cannot be foreseen. Innovations in government, when not absolutely necessary, are dangerous, particularly to republics, generally too fond of novelties, and subject to change. Until a general power is vested in Congress, a communication between neighboring States may be useful, and we think, cannot be dangerous. We, therefore, propose that the same gentlemen who were appointed commissioners in 1784, to meet the commissioners of Virginia, shall be authorized to meet any commissioners from Virginia, to confer on the several subjects mentioned in the report of the commissioners of Virginia and Maryland; and also, we agree that commissioners be appointed to meet and confer with any commissioners from Pennsylvania and Delaware, who may be authorized by those States respectively to confer on the said subject, and this power may also be given to the gentlemen already nominated to meet the commissioners of the last mentioned States.

"We therefore propose, that the Governor be requested to inform the Governor of Virginia, and the Honorable Edmund Randolph, that this State having empowered the United States in Congress assembled, to impose duties on imports, agreeably to their resolve of the 18th of April, 1783, and also having given authority to that Assembly for fifteen years, to prohibit exports to, and imports from, any country with which and the United States no treaty of commerce exists, or may be entered into, and apprehending the proposed meeting, though originating from the best intention, may tend to delay the adoption of the above resolve of Congress, and the vesting that Assembly with proper powers to regulate trade, by the States who have hitherto delayed to accede to these measures, and also that unforeseen consequences may result from such meeting, this Legislature has declined to appoint commissioners for this purpose."

In accordance with the message sent to the House of Delegates, the Senate of Maryland, on the 12th of March, adopted a series of resolutions, of which the two following were assented to by the House:

"*Resolved*, That the Governor and Council be authorized and requested to appoint one or two commissioners, to concert with the commissioners of Virginia on proper plans for light-houses, and to agree on the proper places where such light-houses ought to be erected, and to report the same to the next General Assembly.

"*Resolved*, That the commissioners appointed at November session, 1784, to meet commissioners from Virginia, be authorized to meet commissioners from the commonwealth, to confer on the several matters contained in the report of the commissioners of this State and Virginia, which was laid before the General Assembly at this session and concurred with."[1]

Since the peace, political sentiment in the States had been divided between two parties, those who favored the enlargement of the powers delegated to the Federal Congress, and those who, fearing that such an enlargement would imperil the independence and sovereignty of the States, insisted that these powers should be strictly confined within their original limits. The belief that their commercial prosperity depended upon the power to collect revenue, gave to the latter party an ascendancy in the State Legislatures, and thus the power of levying federal imposts was not granted to congress. Maryland, as we have shown, at every call made by the "United States in congress assembled," had adopted every measure that was intended to maintain the public faith at home and abroad. She had, with other States, established a custom-house and revenue system of her own, but Virginia and other States steadily withheld from congress the power of levying federal imposts, as proposed in the revenue system of 1783. Congress had long and repeatedly urged this plan upon the State Legislatures for their adoption, and their refusal hastened the crisis which was at hand.

The convention, for which Maryland declined to appoint representatives unless all the States would agree to take into consideration and adjust the general system of the Federal Government, which was seriously defective, met in Annapolis on the 11th of September, 1786, and continued in session three days. There were present the representatives of five States, as follows: New York, Alexander Hamilton and Egbert Benson; New Jersey, Abraham Clarke, William C. Houston and James Schureman; Delaware, George Read, John Dickinson and Richard Bassett; Pennsylvania, Tench Coxe; Virginia, Edmund Randolph, James Madison, Jr., and St. George Tucker. The convention was organized by the selection of John Dickinson, of Delaware, as president.[2]

In consequence of the limited number of States represented, the convention declined to pass upon the general situation of the confederation, but, nevertheless, declared in their report to the States who were represented, that,

[1] By a resolution of the General Assembly, passed at the April session, 1783, Thomas Beatty, Jos. Sprigg, Andrew Bruce, David Poe, George Keeports and Robert Long were appointed commissioners to lay out a common road from Baltimore Town to Elizabeth Town (now called Hagerstown), in Washington County, and from thence to the western limits of the State.

[2] As the avowed purpose of the convention was solely to consider the means of establishing a uniform system of commercial regulations, and not to reform the existing government of the confederacy, it was very thinly attended. New Hampshire, Massachusetts, Rhode Island and North Carolina had appointed commissioners, but none of them were present. Maryland, Connecticut, South Carolina and Georgia made no appointments whatever.

"In the course of their reflections on the subject, they have been induced to think that the power of regulating trade is of such comprehensive extent, and will enter so far into the general system of the federal government, that, to give it efficacy, and to obviate questions and doubts concerning its precise nature and limits, may require a correspondent adjustment of other parts of the federal system.

"That there are important defects in the system of the federal government, is acknowledged by the acts of all those States which have concurred in the present meeting; that the defects, upon a closer examination, may be found greater and more numerous than even these acts imply, is at least so far probable, from the embarrassments which characterize the present state of our national affairs, foreign and domestic, as may reasonably be supposed to merit a deliberate and candid discussion in some mode which will unite the sentiments and councils of all the States. In the choice of the mode, your commissioners are of opinion that a convention of deputies from the different States, for the special and sole purpose of entering into this investigation, and digesting a plan for supplying such defects as may be discovered to exist, will be entitled to a preference, from considerations which will occur without being particularized. . . . Under this impression, your commissioners, with the most respectful deference, beg leave to suggest their unanimous conviction, that it may essentially tend to advance the interests of the Union, if the States by whom they have been respectively delegated, would themselves concur, and use their endeavors to procure the concurrence of the other States, in the appointment of commissioners, to meet at Philadelphia, on the second Monday in May next, to take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the Federal Government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled, as, when agreed to by them, and afterwards confirmed by the Legislatures of every State, will effectually provide for the same."[1]

After signing the report and transmitting copies to their respective governments, and one to Congress, the convention adjourned on the 14th of September.

Their recommendations were variously received. The Virginia Assembly being the first in session after the adjournment of the convention in November, 1786, passed a resolution, appointing George Washington, Patrick Henry,[2] Edmund Randolph, John Blair, James Madison, George Mason and George Wythe, commissioners to join with the deputies of the other States "in devising and discussing all such alterations and further provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union."

As soon as the Legislature of Maryland was organized, on the 16th of December, a letter was read from the Governor of Virginia, dated December 1st, enclosing the Act of that State respecting the appointment of commissioners from Maryland to meet in convention at Philadelphia, for the purpose of "revising the Confederation of the United States," and also a letter enclosing a resolution from the said State, respecting the appointment of commissioners from Maryland to meet commissioners from Virginia, on the subject of commercial intercourse between the said States. These docu-

[1] Elliott's *Debates on the Constitution*, i., p. 116.

[2] He declined, and James McClurg was appointed in his place.

ments were respectively read and referred to the consideration of the House of Delegates. On the 21st, the House of Delegates concurred in the proposition of the Senate and sent them a message to that effect. The Senate, on the same day, cheerfully acceded to the proposition, as the measure appeared to them "to be of the utmost importance, and most likely, with the least delay, to vest in the Federal Government those powers which are so necessary to give strength and stability to the Union." As the deputies were to be clothed with ample powers, they desired a joint conference to agree upon the nature and extent of their authority. To this the House also acceded, and a conference committee was appointed by both Houses to prepare instructions for the proposed commissioners. On the 28th, the committee, composed of Thomas Stone, Charles Carroll, of Carrollton, and William Hemsley, of the Senate, and Thomas Johnson, Samuel Chase, William Paca, John H. Stone, and Robert Wright, of the House, through Thomas Stone made the following report:

"It is agreed, that the deputies appointed by this State, or any three or more of them, be authorized, on behalf of this State, to meet such deputies as may be appointed and authorized by the other States to assemble in convention, at Philadelphia, for the purpose of revising the federal system, and to join with them in considering such alterations and farther provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union, and in reporting such an Act for that purpose, to the United States in congress, as when agreed to by them, and duly confirmed by the several States, will effectually provide for the same.

"That the proceedings of the deputies, and any Act agreed to in said convention, be reported by the deputies to the next session of assembly.

"Agreed, that five commissioners of this State be appointed, and that they, or any three or more of them, be authorized to meet commissioners from the States of Virginia, Pennsylvania and Delaware, jointly or separately, and to communicate the regulations of commerce and duties proposed by each State, and to confer on such subjects as may concern the commercial interests of the said States, and within the power of the respective States; and that the meeting of the commissioners be on the third week of September next, and at such places as they shall agree on, and that their proceedings be reported to the legislature of this State.

"That the said commissioners be authorized to meet the commissioners from the said States, before the time above mentioned, at such time and place as may be agreed on.

"Agreed, that the commissioners to be appointed on behalf of this State, be directed to confer with the commissioners of Virginia, and to concert with them on proper plans for light-houses, and to agree on proper places where such light-houses ought to be erected, and to take such measures for completing this necessary work as may be judged proper; and that they report their proceedings to the next general assembly."

The report was adopted by both Houses, but contrary to the wishes of the Senate the House of Delegates determined to adjourn without appointing the commissioners. The legislature, therefore, on the 20th of January, 1787, adjourned; on the 13th of March, however, the governor again convened them to meet on the 10th of April. At the time appointed they re-assembled and immediately resumed the consideration of appointing delegates to the Philadelphia Convention. On the 23d, the assembly proceeded to an election, when Robert Hanson Harrison, Charles Carroll, of Carrollton, Thomas Stone, James McHenry and Thomas Sim Lee, were declared "deputies to represent this State, for the purpose of revising the Federal Constitution."[1]

On the 26th of May, the necessary powers were conferred on the commissioners, who were authorized to meet the deputies of the other States at Philadelphia, to consult with them on alterations and additions to the Federal Constitution, and report an Act for the purpose to congress, which, when agreed to, should be submitted to the several States for ratification.

In congress the report of the Annapolis Convention was at first received with little favor; but while debating the objections to a convention, the necessity for action became every day more stringent, and a resolution was at length passed sanctioning the calling a convention of delegates from all the States.

In the meantime public affairs grew worse. In addition to the chronic neglect to comply with the requisitions of congress, the Legislature of New Jersey, by an Act, positively refused to make provision for the payment of its proportion of the public debt. The States having ports for foreign commerce taxed the people of other States trading through them; others taxed imports from sister States; in other instances the navigation laws treated the people of other States as aliens. In some cases the authority of congress was disregarded by violating the treaties with England, France and Holland; in others, the Federal authority was violated by treaties and wars with the Indians; by troops raised, armed and equipped, without the consent of congress; by compacts between States without the consent of congress. The long and exhausting war had besides brought very serious embarrassments, public and private; and when it ended, the commercial part of the community sought relief by engaging in commerce. This had the effect of draining the country of specie; for all those who had the means, or who had the credit in England, imported largely of English manufactures, and introduced articles of luxury, for which they contracted debts which they could not pay. Insolvencies and prosecutions followed, causing general distress. Besides all this, the United States owed the heavy debt of the war, and the States separately had incurred large liabilities of their own for the same purpose. Towns also had contracted debts in furnishing men and necessaries for the army; and individuals owed

[1] Several of these gentlemen declined the honor conferred upon them, and others were selected to fill the vacancies. Those who attended the convention were: James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll, John Francis Mercer and Luther Martin.

large sums, the interest of which had been accumulating during the war. When, therefore, the courts were again opened and undisturbed by military movements, the dockets were crowded with suits.

Maryland, who had stood foremost of all the States during the Revolution, and who was rising out of the midst of those difficulties which the desperate struggle left behind, soon caught the contagion, and the unhappy divisions that prevailed about the time of the assembling of the Federal Convention excited well-grounded apprehensions for the safety of the State. The Federal authority had ceased to be respected by all the States, and predictions were made of its approaching downfall. And it was known that there were individuals who advocated a monarchy and some who were not unfavorable to a partition of the confederation into several minor confederacies. These troubles and the pressure of the State and Federal debts, increased by the collection of the heavy sums due to the British creditors, which had slept through the war, and the renewed paper issues of the Northern States, who failed to meet the crisis by imposing taxes as Maryland had done, produced a state bordering on anarchy. The Maryland Assembly was violently agitated by a law which had passed the House of Delegates for issuing bills of credit to the amount of £350,000 to be sent by the State in various sums, the whole redeemable in ten years, and drawing annual interest at six per cent. The senate unanimously refused their assent to this proposition; and the differences between the two Houses rose to such a height, that the House of Delegates resolved to adjourn for two months, and refer the subject to the people. During the controversy violent communications were published, week after week, in the newspapers, from the pens of Gabriel Duvall, Daniel of St. Thomas Jenifer, William Kilty, Nathaniel Ramsay, Samuel Chase, A. C. Hanson, Thomas Stone, John H. Stone and others. In most of the counties the grand juries instructed their delegates in the legislature to vote against the innovations. In the midst of all this, "Shay's Rebellion" against the government of Massachusetts broke out, and was with difficulty subdued by a military force under General Lincoln, called out by Governor Bowdoin.

Under these circumstances, though many were doubtful of the tendency of the experiment, and some questioned the legitimacy of the meeting, the convention assembled in Philadelphia, at Independence Hall, on the 25th of May, 1787, and, on motion of Robert Morris, of Pennsylvania, was organized by the choice of George Washington for president.

It is foreign to the province of this history to relate circumstantially the proceedings of this convention. It is only necessary to say that its sessions were continued for the space of four months; that its debates were spirited, and the opposition, particularly that of Luther Martin, vehement, and that, in more than one instance, there was danger of a dissolution without the accomplishment of the business for which it had assembled. [1]

[1] Barry's *History of Massachusetts*, iii., p. 273.

The Constitutional Convention dissolved on the 17th of September, 1787, when James McHenry, Daniel of St. Thomas Jenifer, and Daniel Carroll[1] signed the Constitution on behalf of Maryland.[2]

A few weeks after the question of adopting the Constitution was submitted by congress to the people of the States, Governor Smallwood convened the Legislature, and on the 5th of November they assembled in Annapolis, and requested the delegates who had represented the State in the Constitutional Convention, in conformity to their original instructions, to attend and report their proceedings to the assembly. It was in compliance with this request that Luther Martin, the attorney-general of the State, laid before the legislature the ablest argument extant against the fundamental principles of the proposed government.

In this very powerful paper, Mr. Martin sums up the objections of the opposition. They may be grouped under two heads: objections to those features of the instrument which tended to impair the equality of the States, and to those which tended to aggrandise the Federal Government. As the original thirteen States had confederated on terms of perfect equality, as so many sovereign individuals, he regarded it as unjust, that any distinction should be made between them, or any basis of representation adopted which would give one State, because she was more populous or more wealthy, a larger voice in the Government. The result of this would be to give the three larger States, Virginia, Pennsylvania and Massachusetts, almost the entire control of the Government, and virtually to disfranchise the smaller States with regard to any matters in which they might be opposed to the larger.

LUTHER MARTIN.[3]

He also objected to the power proposed to be given congress to lay duties and imports, as this would be placing the whole commerce and traffic of the

[1] Daniel Carroll, cousin of Charles Carroll, of Carrollton, was born in Maryland, and died at Washington, D. C., in 1849, at a great age. He was a delegate to congress from 1780 to 1784, and was a delegate from Maryland to the convention which framed the Constitution of the United States. He was a member of congress in 1789-91, and was, in the latter year, appointed one of the commissioners for laying out the District of Columbia. His farm formed the site of the present city of Washington. His father, Daniel Carroll, died at Upper Marlborough, February, 27, 1751. In November, 1770, Charles Carroll, barrister, conveyed by deed of trust to H. Rozier, Motley Young and Daniel Carroll, 160 acres of land, lying near the eastern branch of the Potomac River, for the purpose of laying out a town to be called Carrollsburg, now part of Washington city. It was divided into 267 lots, with streets, lanes, alleys and a public square of four acres for the use of the town. The terms of sale were, that each subscriber was to pay to the trustees six pounds sterling in bills of exchange or cash, for which he was to receive a ticket signed and numbered by them, which was to indicate the lot the holder was entitled to. Upon receipt of this, the holders of the tickets were to receive a deed in fee simple from the trustees for the lot so drawn. Mr. Carroll reserved for himself six lots.

[2] John Francis Mercer and Luther Martin had abandoned the convention, and gone home.

[3] Luther Martin, the distinguished lawyer, was born in New Brunswick, New Jersey, in 1744. He graduated at Princeton College, in 1762, with the highest honors. He taught school in Queenstown, in Queen Anne's County; studied

States at the mercy of the Federal Government, to the power of suspending the Act of *habeas corpus* in cases of rebellion, since the Federal Government might declare any opposition to its policy by a State, or case of rebellion, and under this clause have full license for arbitrary arrests and the whole apparatus of tyranny. To the definition of "treason against the United States," he strongly objected, since in the event of a State resisting Federal tyranny, the citizen who refused to obey his State would be guilty of treason against his State, and if he obeyed it, he would be guilty of treason against the Federal Government.

These were the principal points of Mr. Martin's letter, and he has shown the workings of these objectionable features with great clearness, and in some, with a prevision almost amounting to prophecy. As imputations had been thrown out that he was influenced in his opposition by the office which he held, he referred to the numerous honors and emoluments which the Constitution of the United States would create, and suggested—what his abilities and reputation well justified—that his chance of obtaining a share of them was as good as most men's. "But this," was his solemn conclusion, "I can say with truth, that so far was I from being influenced in my conduct by interest, or the consideration of office, that I would cheerfully resign the appointment I now hold; I would bind myself never to accept another, either under the general government or that of my own State; I would do more, Sir—so destructive do I consider the present system to the happiness of my country, I would cheerfully sacrifice that share of property with which Heaven has blessed a life of industry; I would reduce myself to indigence and poverty; and those who are dearer to me than my own existence, I would entrust to the care and protection of that Providence who hath so kindly protected myself; if on *those terms only* I could procure my country to reject those chains which are forged for it."[1]

Notwithstanding the high talent of Luther Martin and his masterly argument against the adoption of the new constitution, every motive of policy united to induce Maryland to adopt it, and he, like Patrick Henry and other distinguished men who took the same side in other States, became one of an earnest, conscientious and active opposition.

law; was admitted to the bar in 1771; commenced practice in Accomac and Northampton Counties, Virginia, and was admitted an attorney in the courts of Somerset and Worcester Counties, Maryland, and soon attained a lucrative practice. In 1774, he became a member of the Maryland Convention, and upon the invasion of the State by Lord Howe, he answered his proclamation in the most eloquent and forcible manner. In February, 1778, he was appointed attorney-general of the State, and in 1804 was one of the defenders of Judge Chase, impeached by the House of Representatives. He was also the personal and political friend of Aaron Burr, whose acquittal he was instrumental in procuring at his trial for treason in 1807; appointed chief judge of Oyer and Terminer for Baltimore City in 1814, and again attorney-general of the State in 1818. He was the author of a *Defence of Captain Cresap from the Charge of Murder Made in Jefferson's Notes*, and *Genuine Information, etc., of the Convention at Philadelphia, etc.*, 8 vo., 1788. He died, while a guest of Aaron Burr, in New York, July 10, 1826.

[1] *Secret Debates*, p. 9. Curtis, *History of the Constitution*, ii., p. 513.

On the 27th of November, a vote was taken in the legislature on the call of a State Convention. After some exchange of opinion and heated discussion as to the qualifications of the electors of this convention, and after a close division as to the time of the election, the House of Delegates, by a majority of seven out of forty-nine members, ordered the election of delegates to a convention, to assemble in Annapolis on the 21st of April, 1788.

The people of Maryland, aware of the importance of the new constitution, selected, as their representatives, a body of men most favorably known to the country for their high characters and enlarged views, as shown by previous service. A large majority of the delegates were known to be "Federalists"—in favor of the constitution—but a majority of the counties instructed their representatives to ratify it as speedily as possible, and to do no other act.

On Monday, the 21st of April, the convention organized by the election of Hon. George Plater, president, and William Harwood, clerk. On Tuesday they adopted rules for the conduct of business. On Wednesday, the 23d, the proposed plan of government was read the first time, and it was thereupon resolved, "That this convention will not enter into any resolution upon any particular part of the proposed plan of Federal Government for the United States; but the whole thereof shall be read through a second time, after which the subject may be fully debated and considered, and then the president shall put the question: 'That this convention do assent to and ratify the same constitution.' On which question the yeas and nays shall be taken." On Thursday, the 24th, Mr. William Paca, member from Harford County, having just taken his seat, rose and informed the president that he had great objections to the constitution proposed, in its present form, and meant to propose a variety of amendments, not to prevent, but to accompany the ratification; but, having just arrived, he was not ready to lay them before the convention, and requested their indulgence until the next day for that purpose. The proposal being seconded, the convention granted the indulgence without a division, and adjourned for that purpose. On Friday, the 25th, upon the organization of the convention, Mr. Paca informed the president, that in consequence of the permission given him the preceding evening, he had prepared certain

GEORGE PLATER.[1]

[1] George Plater was born in St. Mary's County, in 1736, and graduated at William and Mary College in 1753. He was naval officer at Patuxent from October, 1767, to 1773. He was one of the judges of the General Court, and a delegate to congress from 1778 to 1781, and governor of the State in 1792. He died at Annapolis, on Friday, February 10, 1792. His father, Hon. George Plater, was for many years one of Lord Baltimore's Council of State, naval officer at Patuxent, and secretary of the province. He died May 17, 1755, aged upwards of sixty years. At his death, George Steuart was appointed, in May, 1755, secretary of the province, and Henry Darnall, the attorney-general, was appointed naval officer for Patuxent District.

amendments which he would read in his place, and then lay them upon the table. This proposition was objected to by the members from Frederick, Talbot, Charles, Kent, Somerset, Prince George's, Worcester, Queen Anne's, Dorchester, Calvert and Caroline Counties, and from the cities of Annapolis and Baltimore, who declared, "that they were elected and instructed by the people they represented to ratify the proposed Constitution, and that as speedily as possible, and to do no other act; that, after the ratification, their power ceased, and they did not consider themselves as authorized by their constituents to consider any amendments." After this, Mr. Paca was not permitted to read his amendments, and the opponents to the Constitution earnestly opposed its adoption. On Saturday, the 26th, the advocates of the proposed Constitution who had "remained inflexibly silent," called for the question, that, "The Convention assent to and ratify the proposed plan of Federal Government for the United States," which was carried in the affirmative by sixty-three votes to eleven in the negative.[1]

The vote of ratification having thus passed, Mr. Paca again laid before the convention his propositions for amending the constitution thus adopted, which he had prepared by leave of the convention "declaring that he had only given his assent to the government under the firm persuasion, and in full confidence that such amendments would be peacably obtained so as to enable the people to live happy under the government; that the people of the county he represented, and that he himself, would support the government, with such amendments; but without them, not a man in the State, and no people would be more firmly opposed to it than himself and those he represented. Sentiments highly favorable to amendments were expressed, and a general murmur of approbation seemed to arise from all parts of the House, expressive of a desire to consider amendments, either in their characters as members of convention, or in their individual capacities as citizens." Upon the question being put, the convention, by a vote of 66 to 7, "Resolved, That a committee be appointed to take into consideration and report to this House on Monday morning next, a draught of such amendments and alterations as may be thought necessary, in the proposed Constitution for the United States, to be recommended to the consideration of the people of this State, if approved of by this convention; and that Messrs. Paca, Johnson, S. Chase, Potts, Mercer, Goldsborough, Tilghman, Hanson, J. T. Chase, Lee, W. Tilghman, McHenry, and G. Gale, be appointed a committee for that purpose." It was then "Resolved, That the amendments proposed to the Constitution by the delegate from Harford County, should be referred to the above committee," upon the adoption of which the convention adjourned, and the committee proceeded to examine the amendments proposed, which were as follows:

[1] Jeremiah T. Chase, Samuel Chase, John T. Mercer, Benjamin Harrison, Charles Ridgely, Charles Ridgely of William, Edward Cockey, Nathan Cromwell, John Love, William Pinkney and Luther Martin voted in the negative.

"I. That Congress shall exercise no power but what is expressly delegated by this Constitution.

"II. That there shall be a trial by jury in all criminal cases, according to the course of proceeding in the State where the offence is committed; and that there be no appeal from matter of fact, or second trial after acquittal; but this provision shall not extend to such cases as may arise in the government of the land and naval forces.

"III. That in all actions on debts or contracts, and in all other controversies respecting property, of which the inferior federal courts have jurisdiction, the trial of facts shall be by jury, if required by either party, and that it be expressly declared that the State courts, in such cases, have a concurrent jurisdiction with the federal courts, with an appeal from either, only as to matter of law, to the Supreme Federal Court, if the matter in dispute be of the value of —— dollars.

"IV. That the inferior federal courts shall not have jurisdiction of less than —— dollars; and there may be an appeal in all cases of revenue, as well to matter of fact as law; and Congress may give the State Courts jurisdiction of revenue cases, for such forms, and in such manner, as they may think proper.

"V. That in all cases of trespasses done within the body of a country, and within the inferior federal jurisdiction, the party injured shall be entitled to trial by jury, in the State where the injury shall be committed; and that it be expressly declared that the State courts, in such cases, shall have concurrent jurisdiction with the federal courts, and there shall be no appeal from either, except on matter of law, and that no person be exempt from such jurisdiction and trial but ambassadors and ministers privileged by the law of nations.

"VI. That the federal courts shall not be entitled to jurisdiction by fictions or collusion.

"VII. That the Federal judges do not hold any other office of profit, or receive the profits of any other office under Congress, during the time they hold their commission.

"VIII. That all warrants without oath, or affirmation of a person conscientiously scrupulous of taking an oath to search suspected places, or seize any person or his property, are grievous and oppressive, and all general warrants to search suspected places, or to apprehend any person suspected, without naming or describing the place or person in special, are dangerous, and ought not to be granted.

"IX. That no soldier be enlisted for a longer time than four years, except in time of war, and then only during the war.

"X. That soldiers be not quartered in time of peace upon private houses, without the consent of the owners.

"XI. That no mutiny bill continue in force longer than two years.

"XII. That the freedom of the press be inviolably preserved.

"XIII. That the militia shall not be subject to martial law, except in time of war, invasion or rebellion.

"XIV. That the militia, unless selected by lot, or voluntarily enlisted, shall not be marched beyond the limits of an adjoining State, without the consent of their legislature or executive.

"XV. That the Congress shall have no power to alter or change the time, place, or manner of holding elections for Senators or Representatives, unless a State shall neglect to make regulations, or to execute its regulations, or shall be prevented by invasion or rebellion, in which cases only Congress may interfere, until the cause be removed.

"XVI. That in every law of Congress imposing direct taxes, the collection thereof shall be suspended for a certain reasonable time therein limited; and on payment of the sum by any State by the time appointed, such taxes shall not be collected.

"XVII. That no standing army shall be kept up in time of peace, unless with the consent of two-thirds of the members present of each branch of Congress.

"XVIII. That the President shall not command the army in person without the consent of Congress.

"XIX. That no treaty shall be effectual to repeal or abrogate the Constitutions or Bills of Rights of the States, or any part of them.

"XX. That no regulation of commerce, or navigation act, shall be made unless with the consent of two-thirds of the members of each branch of Congress.

"XXI. That no member of Congress shall be eligible to any office of profit under Congress during the time for which he shall be appointed.

"XXII. That Congress shall have no power to lay a poll-tax.

"XXIII. That no person conscientiously scrupulous of bearing arms in any case shall be compelled personally to serve as a soldier.

"XXIV. That there be a responsible council to the President.

"XXV. That there be no national religion established by law; but that all persons be equally entitled to protection in their religious liberty.

"XXVI. That all imposts and duties laid by Congress, shall be placed to the credit of the State in which the same shall be collected, and be deducted out of such State's quota of the common or general expenses of government.

"XXVII. That every man hath a right to petition the Legislature for the redress of grievances, in a peaceable and orderly manner.

"XXVIII. That it be declared, that all persons intrusted with the legislative or executive powers of government, are the trustees and servants of the public; and, as such, accountable for their conduct. Wherefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to, reform the old, or establish a new government. The doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind."

The committee agreed to report favorably to the convention on the first twelve of the amendments proposed, and rejected the others, but while they were in session on Monday, April 29th, the convention, in their absence, on motion, "Resolved, That this convention will consider of no propositions for amendment of the Federal Government, except such as shall be submitted to them by the committee of thirteen."

The committee being sent for by the convention, the gentlemen who were in the majority of the committee then determined that they would make no report of any amendments whatever, not even of those which they had almost unanimously agreed to; and the committee, under these circumstances, attended the House. Mr. Paca, as chairman, stated to the convention what had passed in the committee, read the amendments which had there been agreed to, and assigned the reason why no report had been formally made. A correspondent in the Maryland *Gazette* of May 15th, gives "the true reason why the majority of the committee would agree to no report," which was disclosed to him by one of the committee, who declared in substance—

"That if no amendments were considered by the convention and referred to the people, the idea would be that the constitution was perfect in the opinion of the Convention, and therefore, that it wanted *no alteration;* that he would not have admitted *one* defect but to conciliate; that he was apprehensive the convention would be involved in difficulties; that they might be drawn by the minority from one amendment to another, and would not be able to stop; that they would be led to give opinions on *parts* of the

constitution contrary to their decision to determine the *whole* and not on *parts;* and that by agreeing to a *number* of amendments they would give an advantage to the *opponents* of the government, who would represent that its friends admitted that it was greatly defective, and wanted essential amendments, and that from such concessions they would urge the people to believe that the convention ought *not* to have ratified the constitution unless the alterations were *previously* made or annexed as a condition to the ratification; that if the great majority of the convention in this State who had ratified the government, should admit it to be so very defective, and to want such *material* amendments, *and should publish them to the world*, it might produce bad consequences in Virginia and the other States who had not ratified, where the opponents of the government might be equal or nearly equal in number to its friends; and that policy required that the members who had voted for the ratification, should set their faces against ANY amendment."

After the remarks of William Paca, a vote of thanks to the president was passed, and after signing the following document, the convention adjourned "without day."

"*In Convention of the Delegates of the People of the State of Maryland, 28th April, 1788.*

"WE, the delegates of the people of the State of Maryland, having fully considered the Constitution of the United States of America, reported to Congress by the Convention of Deputies from the United States of America, held in Philadelphia on the 17th day of September, in the year 1787, of which the annexed is a copy, and submitted to us by a resolution of the General Assembly of Maryland, in November session, 1787, DO, for ourselves, and in the name and on behalf of the people of this State, assent to and ratify the said constitution.

"In witness whereof, we have hereunto subscribed our names.

GEORGE PLATER, *President.*

Richard Barnes,	J. Parnham,	Nicholas Carrole,
Charles Chilton,	Zeph. Turner,	Alexander C. Hanson,
N. Lewis Sewall,	Michael Jenifer Stone,	James Tilghman,
William Tilghman,	R. Goldsborough, Jr.,	John Seney,
Donaldson Yeates,	Edward Lloyd,	James Holliday,
Isaac Perkins,	John Stephens,	William Helmsley,
William Granger,	George Gale,	Peter Chaille,
Joseph Wilkinson,	Henry Waggaman,	James Martin,
Charles Graham,	John Stewart,	William Morris,
Daniel Sullivan,	John Gale,	John Done,
James Shaw,	N. Hammond,	Thomas Johnson,
Joseph Gilpin,	Abraham Few,	Thomas Sim Lee,
H. Hollingsworth,	William Paca,	Richard Potts,
James Gordon Heron,	J. Richardson,	Thomas Sprigg,
Samuel Evans,	William Richardson,	John Stull,
Fielder Bowie,	Matt. Driver,	Moses Rawlings,
Osborne Sprigg,	Peter Edmondson,	Henry Shryock,
Benjamin Hall,	James McHenry,	Thomas Cramphin,
John Chesley, Jr.	John Coulter,	Richard Thomas,
William Smith,	George Digges,	William Deakins, Jr.
G. R. Brown,		Benjamin Edwards.

[Attest:] WILLIAM HARWOOD, *Clerk.*[1]

[1] See Maryland *Gazette* of May 1 and May 15, 1788; also, Elliott's *Debates*, ii., p. 547.

Thus closed the Maryland Convention for the ratification of the Federal Constitution. Samuel Chase, John F. Mercer, Benjamin Harrison, Jeremiah T. Chase and others of the most ardent and eloquent patriots of the Revolution were strenuously opposed to it, because it lessened the power, and seemed to them to threaten the sovereignty of the States. Nor is it at all surprising, that those who had passed their youth and manhood in struggling against the British Parliament for the absolute independence of the States, should feel reluctant to have the authority, which it had been the labor and the glory of their lives to maintain, in any way diminished. This opposition was so strong, so general, and so nearly fatal at first to the new constitution, as to leave no doubt that nothing less than the decided exertion of all Washington's influence, supported by James McHenry, George Plater, A. C. Hanson, Thomas Johnson, Thomas S. Lee, Richard Potts, Daniel Carroll, William Hemsley, Richard Thomas, James Hollyday, James Tilghman, William Tilghman and other distinguished men in the State could have secured its adoption. They knew that by its adoption sacrifices were to be made—powers surrendered, and possibly State rights compromised. The ratification of the constitution having been made by the vote of the requisite number of States, the general congress, on the 13th of September, passed a resolution—

"That the first Wednesday in January next, be the day for appointing electors in the several States, which, before the said day shall have ratified the said constitution; that the first Wednesday in February next, be the day for the electors to assemble in their respective States, and vote for a president; and that the first Wednesday in March next, be the time and the present seat of congress [New York], the place, for commencing proceedings under said constitution."

In compliance with this resolution, the General Assembly of Maryland, on the 22d of December, 1788, passed

"An act directing the time, places and manner of holding elections for representatives of this State in the Congress of the United States, and for appointing electors on the part of the State for choosing a President and Vice President of the United States, and for the regulation of the said elections."

By this law the State was divided into six districts, which were numbered from one to six. The First District was composed of St. Mary's, Charles and Calvert Counties; the Second of Kent, Talbot, Cecil and Queen Ann's Counties; the Third of Anne Arundel, (including Annapolis) and Prince George's Counties; the Fourth of Baltimore (including Baltimore City) and Harford Counties; the Fifth of Somerset, Dorchester, Worcester and Caroline Counties; the Sixth of Frederick, Washington and Montgomery Counties. The first election to be held on the first Wednesday in January, but after this on the first Monday of October in every second year thereafter. The electors were to consist of eight persons, five to be residents of the Western Shore, and three of the Eastern Shore. There were to be six representatives, who were to be residents of the district they were to represent, but "every person

coming to vote" for such representative "shall have a right to vote for six persons," thereby giving each voter the right to vote for the general ticket. The elections to be free and made *viva voce*.

The election of senators to represent Maryland in the United States Senate, for some time engaged the attention of the public as to how they should be selected. After considerable discussion, the Senate of the State proposed to the House of Delegates, and they agreed, "that the two senators to represent this State, should be elected by a *joint ballot* of both Houses; and that no person should be elected a senator from this State, *unless* by a majority of the attending members of both Houses." At this time the Senate consisted of fifteen members, and the House of Delegates of eighty. Tuesday, December 9th, being the day appointed for the election, thirteen members of the Senate and seventy of the House of Delegates attended in joint convention, when by a resolution, it was declared, "that one senator should be a resident of the Western and the other of the Eastern Shore." Hon. Charles Carroll, of Carrollton, and Uriah Forrest were put in nomination for the Western Shore, and the Hon. John Henry and George Gale, Esq., for the Eastern Shore, and upon counting the ballots, Henry received forty-one, Gale forty-one, Forrest forty-one, and Charles Carroll forty. There being eighty-three ballots cast, and neither of the candidates receiving a majority, a second ballot was taken, with the following result: John Henry forty-two, George Gale forty, Charles Carroll forty-one, Uriah Forrest forty-one. Mr. Henry receiving a majority, was declared elected United States Senator, after which the legislature adjourned until the next day, when Messrs. Carroll and Forrest were again put in nomination, the former receiving forty-two and the latter thirty-nine votes. Mr. Carroll being elected.[1] The first constitutional election for representatives to Congress and electors for president and vice president, took place in January,[2] with the following result for the federal ticket:

[1] Afterwards, in drawing for the short and long terms, Mr. Carroll drew for two years, and Mr. Henry for six years.

[2] The Baltimore (Md.) *Journal* of January 13, 1789, says the election for representatives to congress and electors of the President and vice-President, "was finally to establish the political character of the citizens of Baltimore; and therefore both parties exerted their utmost power to carry the characters they set up. A very respectable committee of this place addressed the Federals and called on them to support the Federal ticket, in which Mr. William Smith, Esq., of this town—a genuine Federal, a merchant of the first reputation, of an independent fortune and considerable family connexions, was named for this district, and against whom the anti-Federalists opposed Mr. Samuel Sterett, a young gentleman of fair character and respectable connexion. The contest lasted four days (almost the whole time allowed by law), and the Federals were crowned by conquest—Mr. Smith having, at the close of the polls, a majority of seven votes. Thus our beloved constitution was triumphant over its base enemies, and the trump of Federalism drowned the expiring cries of the anti-Federalists in this town."

A German farmer in Washington County, writing to a gentleman in Baltimore, January 11, 1789, says: "We had pain when we heard of the people in your district, that they were wrong, and we thought it right to call the friends of the new government to give in their votes at the court-house, so we made out so many as 1,164 for the Federal ticket, and no man said against it. The last day, you would wonder to see so much people together, two or three thousand, may be, and not one 'anti.' An ox roasted whole, hoof and horn, was divided into morsels, and every one would taste a bit. How foolish people are when so many are together and all good-natured! They were so happy to get a piece of Federal ox as ever superstitious Christians or anti-Christians were to get relics from Jerusalem."

Electors for President.	St. Mary's	Charles	Calvert	Queen Ann's	Talbot	Kent	Cecil	Annapolis	Anne Arundel	Prince George's	Baltimore Town	Baltimore	Harford	Dorchester	Somerset	Worcester	Caroline	Frederick	Washington	Montgomery	Total.	
Chancellor John Rogers	116	190	254	55	254	178	519	214	464	510	843	745	444	111	212	153	129	790	1164	320	7665	Federals Elected.
Col. George-Plater	114	173	258	48	253	169	519	201	463	494	836	725	441	112	212	153	129	787	1164	322	7573	
Col. William Tilghman	84	114	168	51	253	209	519	133	113	269	477	132	439	98	210	76	128	788	1164	321	5746	
William Richardson	90	119	168	46	254	182	519	99	117	269	479	142	204	113	208	....	128	787	1164	314	5402	
Alexander C. Hanson	96	152	157	35	254	167	519	123	116	273	478	146	205	114	212	151	128	787	1164	319	5596	
Robert Smith, Att'y.	96	118	168	32	254	167	519	93	112	270	491	152	209	107	212	69	128	786	1164	308	5455	
Dr. Philip Thomas	92	131	165	32	254	178	519	83	112	270	479	148	205	109	211	69	128	790	1164	317	5456	
Dr. William Matthews	100	121	168	27	247	174	519	94	116	267	474	142	203	39	211	1	127	787	1164	310	5291	
Jeremiah T. Chase	12	3	99	20	....	41	....	179	372	228	379	613	239	....	....	85	....	3	....	5	2278	
Charles Ridgely, of Wm	11	2	84	13	....	37	....	85	345	221	377	663	239	....	....	78	1	2	....	41	2199	
John Seney	15	13	83	49	....	53	....	108	346	220	353	602	241	....	....	78	1	3	....	44	2209	
James Shaw	13	4	85	7	....	39	....	92	345	219	352	617	240	68	....	9	....	2	....	38	2130	
Henry Waggaman	....	4	....	....	....	....	....	65	339	213	350	594	4	23	2	74	1	....	....	...	1669	
Lawrence O'Neale	6	2	....	15	....	35	....	13	10	10	321	590	238	....	....	1	....	....	....	....	1241	
Thomas Johnson	....	....	....	....	....	....	...	101	336	243	29	9	....	....	....	....	....	....	....	....	718	
William Thomas, Jr	39	....	....	7	....	30	....	8	....	....	....	....	....	....	....	....	1	....	....	40	125	
William Paca	....	....	83	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	83	
Nathaniel Ramsey	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	70	....	....	....	....	70	
John Done	....	....	....	....	7	....	....	1	....	....	....	...	....	....	2	154	1	....	....	....	165	
Moses Rawlings	9	....	82	3	....	32	....	16	1	6	....	....	....	....	....	....	....	2	....	6	157	
John A. Thomas	....	15	....	....	....	....	....	2	....	2	....	....	....	....	....	....	....	....	....	....	19	
George Dent	....	....	....	....	1	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	1	

Representatives for Congress.	St. Mary's	Charles	Calvert	Queen Anne's	Talbot	Kent	Cecil	Annapolis	Anne Arundel	Prince George's	Baltimore City	Baltimore	Harford	Dorchester	Somerset	Worcester	Caroline	Frederick	Washington	Montgomery	Total.	
Joshua Seney	111	170	180	68	245	223	516	206	463	231	493	841	746	112	211	152	128	790	1164	353	7616	Federals Elected.
Daniel Carroll	119	192	170	40	253	166	519	112	120	362	497	158	206	106	212	150	128	782	1164	362	5819	
Benjamin Contee	97	177	150	37	254	166	520	96	117	248	475	145	205	108	212	75	128	784	1164	318	5476	
George Gale	94	143	169	48	203	171	520	119	118	253	490	146	205	16	211	151	129	790	1164	316	5456	
William Smith	96	139	166	33	254	164	519	105	118	241	455	141	204	108	212	71	120	786	1164	310	5415	
Michael Jenifer Stone	92	70	161	30	250	166	519	93	107	231	465	141	203	10	211	66	127	770	1164	278	5154	
George Dent	35	258	98	24	4	46	1	115	357	288	381	603	241	101	....	89	2	4	....	84	2731	
Samuel Sterett	25	21	87	9	....	55	1	139	323	268	448	673	240	....	....	78	....	6	....	51	2424	
John F. Mercer	23	17	106	14	....	48	....	164	363	272	360	610	239	....	....	78	1	2	....	42	2389	
Abraham Faw	3	1	82	13	....	42	1	120	342	146	364	596	236	5	....	3	1	7	....	2	1964	
John Done	....	1	....	....	....	....	....	72	333	221	367	600	238	....	....	....	....	....	....	....	1832	
William F. Murray	26	24	83	4	51	47	....	17	11	9	....	....	....	108	....	3	....	....	....	42	426	
Nathaniel Ramsey	12	....	....	1	9	....	4	....	....	....	4	....	....	....	....	....	....	....	....	6	36	
Samuel Chase	....	....	....	10	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	10	
Thomas Johnson	....	....	....	4	....	....	....	....	....	....	....	....	....	....	....	2	....	....	....	....	6	
James McHenry	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	2	....	....	....	....	2	
William Paca	....	....	....	....	....	....	1	....	....	....	....	....	....	....	....	....	....	....	....	....	1	
John Scott	....	....	....	....	....	1	....	....	....	....	....	....	....	....	....	....	....	....	....	....	1	

CHAPTER XXXII.

THE Revolutionary War left the Established Church in a state of prostration. Some eighteen or twenty clergymen remained in the State when the conflict had closed; and the Declaration of Rights, adopted in 1776, secured to the church forever all the glebes, churches, chapels and other property then in its possession, and directed that the repairs of churches then in progress under former Acts, should still go on. It forbade all further assessments by vestries for the support of the ministers, and directed that all incumbents of churches who had remained and performed their duty should be paid up to the 1st of November, 1776. The instrument also forbade any gift, sale or devise of property to ecclesiastical uses, unless by consent of the legislature, with an exception, however, that allowed a church to take and hold two acres of land for the erection of a house of worship, or for a place of interment. It also declared that no one ought to be compelled to frequent or maintain the religious worship of any other denomination than that of his choice; but at the same time it was affirmed that the legislature might, in its discretion, impose a common and equal tax for the support of the Christian religion in general; in such case, however, every individual paying the tax was held to possess the right of designating the religious denomination, to the support of which it was to be applied; or he might resolve this legislative support of Christianity in general, into mere alms-giving, and direct his tax to be applied to the maintenance of the poor.

In 1782, a considerable number of the vestries of the State petitioned the legislature for the passage of an Act whereby pursuant to the Declaration of Rights, a common and equal tax might be laid for the support of religion; and praying also that the church-wardens and vestries might by an assessment on pews, raise money for the repair of the churches. This application was refused, and the subject was again brought to the attention of the assembly at its session in May, 1783, by an address from Governor Paca. In this, after a just tribute to the perseverance and firmness of such of the clergy of all denominations, as had endured sufferings and faithfully discharged their duties amid the privations of a state of war, he called the attention of the legislature to the provisions of the Declaration of Rights, and recommended, as among the first objects proper for consideration on the return of peace, an adequate support of the Christian religion.

A meeting of the clergy of the Established Church was convened at the first commencement of Washington College, when the whole subject was discussed and a plan of action agreed upon to present to the legislature at its next session. Another meeting of the clergy was held in August, 1783, and again in the spring of 1784, and again in

June of the same year, when a full plan was digested for the purposes designated. The application to the legislature was made by the clergy in the latter part of the year 1784, and resulted in the passage of the Act incorporating the Episcopal clergy of the State as a society for the relief of the widows and children of the ministers of the Protestant Episcopal Church in Maryland. In this year there was held in New York the first regular meeting of representatives from the different colonial churches, for the purpose of forming an ecclesiastical union, and Maryland was represented by the Rev. Dr. William Smith, who presided at the convention. In 1786, another State Convention was held, followed on the 29th of May, 1788, by another, which established a governing power over the church in Maryland. A superintending committee, consisting of ten clergymen, was appointed, five on each shore, who were to superintend the concerns of the church in general, and of parishes and congregations in particular, on their respective shores. To them belonged the sole right of examining and recommending candidates for orders, as well as for a settlement in any parish. Besides this superintending committee, it was provided by the canons that there should be a standing committee of five clergymen and five laymen on each shore, to be chosen annually in convention, the clerical members by the clergy and the lay members by the laity. To this body belonged the regulation of all matters of government and discipline, during the recess of the convention.

In September, 1785, the second meeting of the church organization was held in Philadelphia, and again in June and October, 1786, at which Maryland was represented. The general convention again assembled in September, 1789, and adopted the Book of Common Prayer now in use in the Protestant Episcopal Church in the United States. In 1790, the Maryland Convention adopted the Book of Common Prayer and the Constitution of the Church General. Having thus become a constituent part of the Protestant Episcopal Church in the United States, and having provided herself with a body of laws for her internal government, it only remained for the Church in Maryland to supply herself with a bishop to complete her organization. Accordingly, at the convention of May, 1792, by an unanimous vote of both orders, the Rev. Thomas John Claggett, D. D., was elected the first bishop of the Protestant Episcopal Church in Maryland, and his testimonials were signed accordingly. He was consecrated in September, 1792, and immediately entered upon the discharge of his duties. Bishop Claggett was born at White's Landing, on the Patuxent River, in Prince George's County, on the 2d of October, 1742. His father, the Rev. Samuel Claggett, was, for many years, rector of a parish in Charles County. Bishop Claggett was ordained a deacon by the Bishop of London, September 20th, 1767, and on the 11th of October, in the same year, and from the same hands, received

BISHOP CLAGGETT.

orders as a priest. He immediately returned home and took charge of All Saints' Parish, in Calvert County, and continued as rector until the War of the Revolution. When peace was restored, he took up his residence in St. James' Parish, Anne Arundel County, and officiated alternately in that and in his former charge of All Saints. In 1791 he removed to the family seat at Croom, in Prince George's County, and there resided until his death.[1] On September 1, 1814, Rev. Dr. James Kemp was consecrated as Suffragan Bishop of Maryland, and Bishop Claggett assigned to him the Eastern Shore, as his principal field of labor. In 1810, the Rev. George Dashiell, rector of St. Peter's, Baltimore, showed a spirit of insubordination and resistance to the authority of the bishop and convention, which continued under one form or another until 1816, when he, with the Rev. Mr. Handy, Rev. Alfred Dashiell and the Rev. William Gibson attempted to establish what they called "the Evangelical Episcopal Church," and by the act of ordaining, the Rev. George Dashiell assumed to himself the exercise of Episcopal authority. They were all dismissed from the church, and thus ended what looked to be at one time a very dangerous schism.

[1] The Episcopalians, at a very early period, had made vigorous efforts to secure the appointment of a bishop to supervise the affairs of the Established Church in the colonies, but were unsuccessful. They determined to make another effort, and accordingly, in September, 1770, the Revs. McGill, Addison, Hamilton, Ross, Neill, Read, Allen, Hughes and Boucher drew up addresses to the king, to Lord Baltimore, to the Archbishop of Canterbury, to the Bishop of London and to Governor Eden, praying for the ordination of an American bishop. In their petition to the governor, they say that "the establishment here cannot subsist much longer without some form of government. Whether this shall be that constitutional one by bishops, to which alone a clergyman of the Church of England can, in conscience, think it his duty to submit, or the unconstitutional and palpably Presbyterian system, not long ago warmly contended for by both Houses of Assembly, is a question hardly less interesting to the civil government of this province than it is to its clergy. The jurisdiction of a presbytery, and every other jurisdiction in its principles akin to it, is so adverse to the whole frame and scope of our excellent establishment, both in Church and State, that, in attempting to keep it forever at a distance from Maryland, we trust your Excellency will consider us as doing what most undoubtedly it is our duty ever to do, consulting the best interests of the Lord Proprietary and the welfare of the community at large, as well as our own in particular, On these principles, and on these alone, we presume to solicit your Excellency's concurrence and assistance in promoting so salutary a scheme." To which the governor replied as follows:

"ANNAPOLIS, 15th September, 1770.

"*Gentlemen*—Though your address, I think, imports that it is the act of the whole clergy of the Established Church, flowing from their general deliberation and unanimous opinion, yet, to enable me to consider it with propriety in this light, a clearer satisfaction is requisite than what arises from the delivery of a paper by nine clergymen, or from the formal attestation of a person in an official character, unknown in our constitution, and assumed I know not on what grounds. The proper satisfaction would have been given by the subscription of the clergy individually. That the factious spirit of the sectaries has appeared in their daily openly calling in question his Lordship's right of patronage in disposing of the donatives of this province, your address gives me the first information. Indiscretions and irregularities of another kind have, indeed, occurred in some parishes, but his Lordship's right has been vindicated; as the laws are a sufficient security to his Lordship and the persons collated by him, no degree of support or assistance is needed from episcopal authority. How far, and under what forms, the establishment of an American bishop may be a salutary measure, is a consideration of the most momentous concern, deserving the most serious and mature attention; and being of so great and extensive importance, I shall take an early opportunity of laying the matter before the General Assembly, together with your address and the papers attending it. The motives both of duty and inclination, will ever engage me to countenance the worthy ministers of the Established Church, and to support the just rights of the clergy of Maryland, holding it, at the same time, to be my indispensable duty to protect all quiet and peaceable subjects of every denomination in the full enjoyment of their rights."

The Methodist Society, founded by the Rev. John Wesley, in England, numbered adherents in Maryland at an early period. A considerable number of persons who had been members of Mr. Wesley's societies in England and Ireland, emigrated to this country at different periods, and settled in several of the provinces. Those in Maryland, residing near Sam's or Pipe Creek, in Frederick County, Maryland, were united in a society in 1760, by Robert Strawbridge, a Wesleyan lay-preacher from Ireland, who had emigrated to America in 1760, and settled upon Sam's Creek, in Frederick County, Maryland. He formed in his dwelling a class-meeting of twelve or fifteen persons, which Bishop Asbury says was "the first society in Maryland and America."[1] He preached regularly in his house, and in adjoining neighborhoods. Mr. Strawbridge also extended his labors to Baltimore and Harford Counties, also on the Eastern Shore, in Fairfax County, Virginia, in Lancaster County, Pennsylvania, and other places. He also formed the first society of Methodists in Baltimore County at the house of Daniel Evans. For its accommodation one of the first chapels in the country was erected.[2] At all these places and many others, Mr. Strawbridge gathered the people into classes, according to the custom of Mr. Wesley, and licensed preachers who were in time instrumental in extending his good work. Richard Owen was a spiritual son of Mr. Strawbridge, and the first native American who became a preacher among the Methodists.[3] Mr. Strawbridge continued to reside at Sam's Creek about sixteen years, and then removed to the upper part of Long Green, Baltimore County, to a farm given him for life, by Captain Charles Ridgely of Hampton. He died about the year 1781.

ROBERT STRAWBRIDGE.

Before his removal from Sam's Creek, the congregation of Mr. Strawbridge grew very large, and his house being too small to contain it, the society built in 1764, what was commonly known, until a very late period, "The Log Meeting-House," about a mile from his dwelling. This meeting-house took precedence of any other Methodist chapel in this country by about three years. It was about twenty-four feet square, and stood until about 1844, when it was demolished. A stone chapel was built to take the place of the Strawbridge Log Meeting-House, at Sam's Creek, in 1783, and was rebuilt in 1800. Mr. John Lednum, in his work on the *Rise of Methodism in America*, says, from all the evidence adduced, it is "clear beyond a doubt, to all who have duly considered it, and are not committed to another theory, that Mr. Strawbridge raised up the first society,

LOG MEETING-HOUSE IN 1764.

[1] *Journal*, iii., p. 27.
[2] Gatch, *Memoirs*, p. 24.
[3] *Life of the Rev. William Watters*, p. 108.

and also built the first chapel.'[1] It may be asked, 'Why did Bishops Coke and Asbury, in their early account of the rise of Methodism in this country, as found in the Discipline, make it appear that Methodism began in New York,'[2] also Rev. Jesse Lee, in his *History of Methodism*, and others who have asserted the same? The answer is, 'They so understood it, not having made it their business to inquire particularly into the history of Mr. Strawbridge's movements in Frederick County, Maryland.' We have seen that in 1780 Bishop Asbury came to a more correct understanding of the matter, and entered in his journal (1780) the truth, which we presume he had then and there obtained; thus correcting all that he had before said on the subject. Mr. Lee never investigated the matter, and remained persuaded that New York was the cradle of Methodism in America. Others have copied the error without questioning it. We are glad that the matter has at last been placed in a clear light. The evidence adduced warrants the assertion that the first Methodist society raised up in America (not taking into the account the one formed at Savannah, Georgia, by Mr. Wesley)—the first chapel (mean as it was)—the first native American Methodist preacher (Richard Owen) the first native American Methodist preacher who was a regular itinerant (William Watters,) belong to Maryland. That Mr. Watters was the first itinerant, has never been in controversy. That Richard Owen was the first native preacher, has not been generally known. The priority of the Pipe or Sam's-Creek Society, and Log Chapel, has been mooted.'"[3]

In 1769, Mr. Wesley, in answer to repeated requests, sent his first missionaries to America. Among those sent over was John King, of London, who was not authorized to preach, but feeling it to be his duty he did so without authority, until he was afterwards licensed by Mr. Pilmoor. He preached first in Philadelphia, and then travelled to Baltimore, where he in 1770, introduced Methodist preaching. He had for pulpit a blacksmith's block at the corner of Front and French streets, where he met with great success. He next took his stand on a table at the corner of Baltimore and Calvert streets. It is related that on one occasion "it being a general training day of the militia, many of whom were intoxicated—this drunken rabble, being among the congregation, took it into their heads to annoy the preacher, upset the table, and landed the speaker on the ground." The captain of the company saved the preacher from further insult. He was afterwards invited to preach in St. Paul's Episcopal Church, and did so. He asked for the use of the church a second time, but being refused, he preached to the people from the sidewalk as they came out of church.

[1] *Quarterly Review for 1856*, p. 435.

[2] In 1766, the first Methodist Society was formed in New York by Mr. Philip Embury, six years after that formed by Strawbridge in Frederick County, Maryland. By the influence of Captain Webb, the society, in 1768, purchased a lot of ground on John street for the purpose of building a house for public worship, and on the 30th of October, 1768, it was opened, four years after Mr. Strawbridge's.

[3] Page 21.

Autobiography of the Rev. James B. Finley, pp. 262-3. Letters of Rev. George C. M. Roberts, in the *Christian Advocate and Journal*, in 1858; also, see his *Centenary Pictorial Album*. Rev. Wm. Hamilton, in July, 1856, number of *Methodist Quarterly Review*. *Life of Rev. William Watters*, p. 108. *Recollections of an old Itinerant*, pp. 204-5. *Memoirs of Gatch*. pp. 9, 24.

In 1771, Mr. Francis Asbury was sent to America by Mr. Wesley and landed at Philadelphia on the 27th of October, and soon began to preach in all the surrounding provinces. In October, 1772, he set out for Maryland and preached at Bohemia Manor, at Bethel, on Back Creek, at Rock Run, at Deer Creek, at Frederick Town, at Mr. Strawbridge's at Sam's Creek, at Joppa and many other places in the province on the Eastern and Western Shores. His first visit to Baltimore was about the middle of November, 1772, and on the 28th, preached at Fell's Point to large congregations at three and six o'clock. During his visit to Baltimore there was a great revival of religion, and owing to the distractions in the Established Church, a large number of the members of that church attached themselves to the Methodists. In November, 1773, Mr. Asbury, associated with several others, formed a Methodist society on Fell's Point, Baltimore, and purchased for five shillings, a lot sixty feet on Strawberry alley, and seventy-five feet on Fleet street, and erected a brick church. And on April 18th, 1774, the foundation of a meeting-house was laid on Lovely lane, which ran immediately south of Baltimore street, near the present bed of German street, running from Calvert to South street. In October, it was completed, and Captain Webb, the British officer and local preacher, preached the first sermon in it. The first quarterly meeting that was ever held in Baltimore, was held on the 3d of May, of this year. The first meeting-house that was ever built by the Methodists on the Eastern Shore, was in Kent County in 1774, about nine miles below Chestertown. At this time the Methodists had a larger membership in Maryland than in any other province. The number of members in society was eleven hundred and sixty, in the following provinces: Maryland, five hundred; Virginia, one hundred; New York, one hundred and eighty; New Jersey, two hundred, and Philadelphia, one hundred and eighty.

On the 21st of May, 1776, the fourth Methodist conference was held in Baltimore—the three others having been held in Philadelphia.[1]

[1] The Methodists met with some persecutions this year. Mr. Asbury, in his journal, says: "On the 20th of June, I was fined, near Baltimore, five pounds for preaching the gospel." On April, 1778, Rev. Jesse Lee says: "Joseph Hartley, one of our traveling preachers from Virginia was apprehended in Queen Anne's County, on the Eastern Shore of Maryland, for preaching the Gospel; he gave bond and security to stand his trial at court. He was then obliged to desist from preaching in that county; but he would attend his appointments, and after singing and prayers, he would stand on his knees and exhort the people till his enemies said they had as lieve he should preach on his feet as on his knees. After that he went to Talbot County and preached, and the people took him and shut him up in jail. But he was not silent there; for he frequently preached through the grates, or window, to the listening crowd who stood on the outside of the prison. His preaching took such hold on the minds of the hearers, that some of them were deeply awakened, and began to seek the Lord in earnest. Some of the inhabitants said if the preacher was not turned out of jail he would convert all the town. After a while he was turned out and set at liberty; but they had kept him too long, for religion had begun to revive, and soon after that it prospered greatly in that place." Freeborn Garretson, another traveling preacher was much persecuted. While riding in Queen Anne's County, he was beaten over the head and shoulders with a stick, but getting loose, he rode off rapidly, and by some means was thrown off his horse and nearly killed. With the assistance of a lady he revived, and being taken to a house, he sat up and exhorted the people with great freedom." On the 25th of February, 1780, Mr. Garretson says that he was judged and condemned in Dorchester County for preaching the Gospel; and two days after he was thrust into Cambridge jail, and the keys were taken away to prevent his friends from ministering to him.

On the 24th of April, 1780, the eighth conference met in Baltimore, and among other measures, expressed disapprobation of the practice of distilling spirits out of grain, resolving to disown all who would not abandon it. The conference also took up the subject of slavery, and required all the travelling preachers who belonged to the Baltimore conference, to promise to manumit whatever slaves they held. They also professed their belief that the keeping of slaves was contrary to the laws of God, of man, and of nature, and that it was hurtful to society, and contrary to the dictates of conscience, and pure religion; and finally, they said "We pass our disapprobation on all our friends who keep slaves." On the 27th of December, 1784, the thirteenth conference began in Baltimore, at which both Thomas Coke and Francis Asbury presided. At this general conference, the Methodist societies in the United States organized themselves into a regular church, under the name of "The Methodist Episcopal Church," and Rev. Thomas Coke and Rev. Francis Asbury were made the first bishops of the church.[1] In August, 1775, the Lovely lane Methodists commenced the erection of a new meeting-house at the northwest corner of Light street and Wine alley, Baltimore, and on the 21st of May, 1786, it was dedicated to worship by Bishop Asbury. This church was destroyed by fire December 4th, 1796, and about ten months after, on October 29th, 1797, Bishop Asbury dedicated the new Light Street Church, which was situated at the southwest corner of Light street and Wine alley.

BISHOP ASBURY.

As soon as the elections were over in 1788, the people of the United States, as if governed by one impulse, turned to General Washington as the man who, above all others, was best qualified to become the chief magistrate of the Federal Union. Fears, however, were entertained that his predilection for private life would prevail over the wishes of the public, and that he would decline the office. Before congress assembled, he received many letters from his friends pressing him, for the good of the country, to accept it. "We cannot," said his steadfast friend, Thomas Johnson, "do without you, and I, and thousands more, can explain to anybody but yourself why we cannot do without you."

Congress met at New York on the 4th of March, 1789, but owing to the want of punctuality of its members, the House of Representatives was not

[1] Rev. Francis Asbury was born at Handsworth, Staffordshire, England, August 20, 1745. He became an itinerant under Wesley in his twenty-third year, and landed at Philadelphia, October 27, 1771. In 1772, he was appointed by Wesley general superintendent of the Methodist societies in America, and held the office throughout the Revolution. During his ministry, it is computed that he preached at least 18,000 sermons, presided at more than 200 conferences, traveled about 150,000 miles, and ordained not less than 3,000 preachers. He preached his last discourse at Richmond, Virginia, March 24, 1816, and died at Spottsylvania, Virginia, March 31, 1816, in the seventy-first year of his age. His remains were deposited in the vault of the Eutaw-street Methodist church, on May 10, 1816, and on June 16, 1854, they were removed to Mount Olivet Cemetery, near Baltimore, where a monument was erected to his memory.

organized until the 1st, nor the Senate until the 6th of April. On that day the Senate counted the electoral votes, and Washington was unanimously chosen President of the United States, and John Adams, by a majority, Vice President. Maryland cast her six electoral votes for Washington for president and Robert Hanson Harrison, of Maryland, for vice-president. John Langdon, a senator from New Hampshire, who had been elected temporary president of the Senate, immediately sent an official letter to Washington by Charles Thomson, the secretary of the Continental Congress from its first session in 1774, notifying him of his election. Charles Thomson passed through Baltimore on the 12th, and reached Mount Vernon on the 14th of April. On the 16th, Washington wrote in his diary: "About ten o'clock I bade adieu to Mount Vernon, to private life and domestic felicity; and with a mind oppressed with more anxious and painful sensations than I have words to express, set out for New York with Mr. Thomson and Colonel Humphreys, with the best disposition to render service to my country in obedience to its call, but with less hope of answering its expectations." His progress to New York was a continued ovation. At every large town and village he was saluted with the most joyous acclamations. Deputations met him all along the route and formed escorts and processions. At Baltimore, on his arrival and departure, his carriage was attended by a numerous cavalcade of citizens, and he was greeted by ringing of bells and salvos of artillery. Here the old and young, male and females, thronged the streets to bless and welcome him. A committee, composed of James McHenry, Nicholas Rogers, Joshua Barney, Paul Bentalou, John Bankson, Isaac Griest, R. Smith, O. H. Williams, Thorowgood Smith, William Clemm and John Swann, presented him with an address, in which the following complimentary reference to his public services were made:

"We feel the honor you have this day conferred on the town of Baltimore by favoring it with your presence, infinitely heightened and enhanced by the desirable event which has produced it. Happy to behold your elevation, permit us to reassure you of our purest love and affection. In considering the occasion that has once more drawn you from scenes of domestic ease and private tranquillity, our thoughts naturally turn on the situation of our country previous to the expedient of the late general convention. When you became a member of that body which framed our new and excellent constitution, you dissipated the fears of good men who dreaded the disunion of States, and the loss of our liberties in the death of our enfeebled and expiring confederation. And now, Sir, by accepting the high authorities of President of the United States of America, you teach us to expect every blessing that can result from the wisest recommendations to Congress, and the most prudent and judicious exercise of those authorities; thus relieving us in the one instance, from the most gloomy apprehensions, as when, in a different capacity, you re-crossed the Delaware; and in the other opening to our view the most animating prospects, as when you captured Cornwallis. But it is from the tenor of your whole life, and your uniform and upright political principles and conduct, that we derive the fullest assurance that our hopes will be realized." [1]

[1] *Chronicles of Baltimore*, p. 252.

In reply to this, President Washington said:

"The tokens of regard and affection which I have often received from the citizens of this town, were always acceptable, because I believed them always sincere. Be pleased to receive my best acknowledgments for the renewal of them on the present occasion. If the affectionate partiality of my fellow-citizens has prompted them to ascribe greater effects to my conduct and character than were justly due, I trust the indulgent sentiment on their part will not produce any presumption on mine.

"I cannot now, gentlemen, resist my feelings so much as to withhold the communication of my ideas respecting the actual situation and prospect of our national affairs. It appears to me that little more than common sense and common honesty in the transactions of the community at large, would be necessary to make us a great and happy nation. For if the general government, lately adopted, shall be arranged and administered in such a manner as require the full confidence of the American people, I sincerely believe they will have greater advantages from their natural, moral and political circumstances, for public felicity, than any other people ever possessed. In the contemplation of those advantages, now soon to be realized, I have reconciled myself to the sacrifice of my fondest wishes, so far as to enter again the stage of public life. I know the delicate nature of the duties incident to the part which I am called to perform, and I feel my incompetence, without the singular assistance of Providence, to discharge them in a satisfactory manner. But having undertaken the task from a sense of duty, no fear of encountering difficulties, and no dread of losing popularity, shall ever deter me from pursuing what I conceive to be the true interests of my country." [1]

In the evening, President Washington and his suite were entertained at a sumptuous banquet, given at the "Fountain Inn," at which the leading citizens of the town were present. Mrs. Washington, accompanied by her two grandchildren, Eleanor Parke and George Washington Parke Custis, arrived in Baltimore, on the 19th of May, on the way to join her husband. She was also everywhere greeted with demonstrations of the greatest affection. The ceremonies of inauguration were arranged by congress; and on the 30th of April, 1789, Chancellor Livingston administered to Washington, in the Senate chamber, in the presence of both Houses of Congress, the solemn oath prescribed by the Constitution. The government being organized, the duty of filling the important offices, which had been created, now remained to be performed. And Washington, in the execution of this delicate trust, with his usual good judgement, selected the best talents and the purest characters which the United States could furnish.

FOUNTAIN INN.

[1] *Chronicles of Baltimore*, p. 253.

To fill the office of Chief Justice of the United States, he chose John Jay, one of the ablest jurists of the country; and for one of his associates on the bench, Robert Hanson Harrison,[1] who during a large portion of the war for independence, had been one of his trusted confidential secretaries, and who had been recently appointed, on the 1st of October, Chancellor of the State of Maryland, but had declined the office.[2] Harrison, whose character Washington held in high estimation, also declined; but being strongly pressed by both Hamilton (then Secretary of the Treasury), and Washington, he was prevailed on to accept. He died, however, at his residence near Port Tobacco, on April 2d, 1790.

Washington seems to have been particularly unfortunate in finding suitable candidates, who would accept office, as will be seen by the following confidential letter written to his friend Dr. James McHenry, of Baltimore:

"Dear Sir: "*New York, 30th of November, 1789.*

"I have received your letter of the 14th instant, and in consequence of the suggestions contained therein, added to other considerations which occurrred to me, I have thought it best to return Judge Harrison his commission, and I sincerely hope, that upon a further consideration of the subject, he may be induced to revoke his former determination, and accept the appointment.

"Mr. Johnson has likewise declined his appointment as district judge, and I have no information of Mr. Potts, the attorney, or Mr. Ramsey, the marshal, having accepted their commissions. Thus circumstanced, with respect to Maryland, I am unwilling to make a new appointment of judge for that district until I can have an assurance, or, at least, a strong presumption, that the person appointed will accept; for it is to me an unpleasant thing to have commissions of so important a nature returned; and it will, in fact, have a tendency to bring the government into discredit.

"Mr. Hanson is the person whom I now have it in contemplation to bring forward as district judge of Maryland, and shall do so, provided I can obtain an assurance that such an appointment would be acceptable to him. But, as I cannot take any direct measures to draw from him a sentiment on this head, I must request, my dear Sir, that you will be so good as to get for me, if you can, such information upon the subject as will enable me to act with confidence in it, and convey the same to me as soon as possible. I shall leave to your prudence and discretion the mode of gaining the knowledge. It is a delicate matter, and will not bear anything like a direct application, if there is the least doubt of a refusal. I have observed, in the papers, that Mr. Hanson has been appointed Chancellor of the State since the death of Mr. Rogers.[3] What the emoluments of this office are, or its tenure, I know not, therefore can form no opinion how far it may operate in this matter.

"Mr. Johnson's resignation came to hand too late to admit of a new appointment, and information to be given of it before the time fixed by the act for holding the first Dis-

[1] He was then chief judge of the General Court of Maryland, having been appointed on the 10th of March, 1781. He was born in Maryland, in 1745, and educated to the law. He succeeded Joseph Reed as secretary to Washington, November 6, 1775, with the rank of lieutenant-colonel, and remained in the family of Washington until the spring of 1781. In November, 1777, he was appointed by Congress a member of the Board of War, but declined.

[2] He was appointed chancellor, to fill the vacancy occasioned by the death of Hon. John Rogers, September 23, 1789.

[3] John Rogers was a delegate in Congress from Maryland in 1775-6, and on the 28th of March, 1778, was appointed by the governor and council, Chancellor of the State. He died at Annapolis, September 23, 1789.

trict Court in Maryland. However, if this had not been the case, I should hardly have hazarded a new appointment, for the reasons before mentioned, until I had good grounds to believe it would be accepted.

"Should it be found, that the office of district judge would not be acceptable to Mr. Hanson, Mr. Paca has been mentioned for that appointment; and although his sentiments have not been altogether in favor of the general government, and a little adverse on the score of paper emissions, I do not know but his appointment on some other accounts might be a proper thing. However, this will come more fully under consideration if Mr. Hanson should not wish to be brought forward; and, in that case, I will thank you to give me information relative to Mr. Paca. Mr. Gustavus Scott and Mr. Robert Smith,[1] of Baltimore, have also been mentioned for the office; but the age and inexperience of the latter, is, in my opinion, an insuperable objection; for, however good the qualifications, or promising the talents of Mr. Smith may be, it will be expected that the important offices of the general government, and more especially those of the judges, should be filled by men who have been tried and proved."[2]

Judge Hanson declined to accept the proposed honor, and in relation to Mr. Paca, Dr. McHenry answered December 10th, 1790:

"I have had a long conversation with Mr. Paca. I have every reason to say, that he will make every exertion in his power to execute the trust in the most unexceptionable manner. I believe also, that the appointment will be highly gratifying to him, and I think it may have political good consequences."

In December, 1789, he was appointed judge of the U. S. District Court for Maryland and continued in the regular and able discharge of his judicial duties until the year 1799, when in the sixtieth year of his age, he died.[3]

Richard Potts accepted the appointment of United States Attorney for the District of Maryland; Colonel Nathaniel Ramsey, that of United States mar-

[1] Robert Smith, the son of John Smith (a merchant of Baltimore), and brother of General Samuel Smith, was educated as a lawyer, and filled many important offices. Besides being chosen one of the electors of President and Vice President, he was the last survivor of that Electoral College. In 1793, he was elected to the Senate of Maryland, and in 1796 to the House of Delegates. In 1801, he was appointed Secretary of the Navy, and during part of the year 1805 he held the office of Attorney-General of the United States, but he returned to the Navy Department. In 1809, he was made Secretary of State, having, in the meantime, that is, in 1806—been appointed Chancellor of the State and Chief Judge of the District Court of Maryland, but declined. He resigned the office of Secretary of State on the 1st of April, 1811, and was offered the Embassy of Russia, but declined. In 1813, he was elected Provost of the University of Maryland, but resigned the office not very long afterward. He was chosen President of the American Bible Society in 1813. In 1818, the first agricultural society in the United States was formed in Baltimore, and Mr. Smith was chosen its president. This was his last public function. He died in Baltimore, in December, 1842, aged eighty-four years. He was author of an *Address to the People of the United States in 1811.*

[2] Sparks, x., p. 56.

[3] Washington, in a letter written to William Fitzhugh, of Maryland, dated 24th of December, 1789, says: "Mr. Johnson has, as you supposed, declined the appointment of judge to the District of Maryland, and I have lately appointed Mr. Paca to fill that office. Mr. [Philip] Thomas, whom you recommended for that place, undoubtedly possesses all those qualifications which you have ascribed to him; and, so far as my own knowledge of that gentleman extends, he is justly entitled to the reputation which he sustains. But, in appointing persons to office, and more especially in the judicial department, my views have been much guided to those characters who have been conspicuous in their country, not only from an impression of their services, but upon a consideration that they had been tried, and that a readier confidence would be placed in them by the public than in others perhaps of equal merit who have never been proved. Upon this principle, Mr. Paca certainly stands prior to Mr. Thomas, although the latter may possess, in as high a degree, every qualification requisite in a judge."—Sparks, x., p. 66.

shal, and Captain Joshua Barney, clerk; General Otho Holland Williams, collector of the port of Baltimore; Robert Purviance, naval officer, and Colonel Robert Ballard, surveyor.

During the summer of 1789, the French Revolution broke out, and the conflict of opinions growing out of it in America, and the rivalry between two of Washington's cabinet officers, Jefferson and Hamilton, agitated the nation. Besides, the assumption by the general government of $21,500,000 of the State debts, produced in and out of congress, in the public press, and in private circles, discussions which fearfully agitated the country, and called forth the first regular and systematic opposition to the principles of the new government. In the adoption of this measure, Massachusetts, Connecticut, New York, New Jersey and South Carolina were unanimously in the affirmative; Rhode Island, Virginia, North Carolina and Georgia, with equal unanimity in the negative; and Pennsylvania, Delaware and Maryland divided.

By the Board of Commissioners appointed by congress to complete a settlement of the accounts between the States, it was found that Maryland had expended in specie during the war, the large sum of $7,568,145.38. Of this amount, congress had paid, at several periods, the sum of $1,592,631.38, leaving an expenditure by this State for services rendered, supplies furnished, loans, etc., to say nothing of individual contributions, which were immense, the sum of $5,975,514. Under this Act, Congress assumed the payment of the debt of Maryland on a compromise of $800,000, by issuing certificates of loans, bearing interest at the rate of three and six per cent.; and to secure the prompt payment of this and the other debts assumed, established a tariff of duties on imports, which had the effect of relieving the finances of the State.[1]

While this financial scheme of Hamilton was pending in congress—from which grew the two political parties known respectively for about twenty years as *Federal* and *Republican*—the Maryland Legislature took occasion to present President Washington with the following address:

"We, the General Assembly of Maryland, avail ourselves of the first occasion afforded us, since your election to the office of President of the United States, of expressing to you our gratitude for accepting that truly honorable, yet arduous station, and of mingling our gratulations with those of our country on this auspicious event.

"With pleasure we anticipate the blessings which these States will derive from the firmness and wisdom of your administration. The past proofs of your respect for the rights of your fellow citizens, amidst the din of arms and rage of war, are a sure pledge that these rights will be equally respected and cherished by you in peace.

"In this place from which we now address you, our predecessors lately saw the affecting scene of their patriot chief resigning his military command, having fully accomplished its glorious ends.

"The lapse of a few years having proved the inadequacy of the late confederacy to the attainment of its objects, it affords subject of the most pleasing reflection that in the

[1] Pitkin, ii., pp. 338-538.

change which became necessary to the safety and welfare of the people of America, the President of the United States should be the same person to whom they were indebted for a long series of the most important, glorious and disinterested services.

"This people have unanimously called upon you to preside over their common councils, under a well-founded hope, that having asserted their independence by your skill in war, your wisdom and firmness in peace, will avert the dangers of civil discord, and establish their union on so firm a basis that it will endure to the latest ages.

"We reflect on these things with gratitude, and that for you the singular happiness was reserved of being twice the saviour of your Country.

"May that kind Providence, whose protection you have frequently experienced in the midst of many and great dangers, direct your measures, and long preserve a life in the preservation of which such numbers feel themselves so deeply interested.

"JOHN SMITH, *President of the Senate.*
"GEORGE DENT, *Speaker of the House of Delegates.*"

President Washington in reply said:

"Gentlemen:

"I receive, with the liveliest emotions of satisfaction, your expressions of gratitude for my having accepted the office of President of the United States, and your congratulations on that event.

"From the enlightened policy of the legislature of the Union, in conjunction with the patriotic measures of the State assemblies, I anticipate the blessings in reserve for these United States; and so far as my administration may be conducive to their attainment, I dare pledge myself to co-operate with those distinguished bodies, by constantly respecting and cherishing the rights of my fellow-citizens.

"Your mention of the place from whence you address me, awakes a succession of uncommon reflections. In noticing the eventful period since the resignation of my military command, I trace, with infinite gratitude, the agency of a Providence which induced the people of America to substitute in place of an inadequate confederacy, a general government eminently calculated to secure the safety and welfare of their country.

"The good disposition of this people and their increasing attachment to a government of their own institution, with the aid of wisdom and firmness in their common councils, afford a well-founded hope, that the dangers of civil discord may be averted, and the union established on so solid a basis that it may endure to the latest ages.

"When I reflect on the critical situations to which the country has been more than once reduced, I feel a kind of exultation in the character of my countrymen, who have rescued it from threatened ruin by their virtue, fortitude, intelligence and unanimity.

"I thank you for the favorable sentiments which you are pleased to express of my public conduct, and for the affectionate interest which you have the goodness to take in the success of my measures and the preservation of my health. I pray for the Divine benedictions on you, gentlemen, and on your State." "G. WASHINGTON."

Congress had hitherto held its sessions, according to the exigencies of the war, at Philadelphia, Baltimore, Lancaster, York, Princeton, Annapolis, Trenton and New York, but now it was determined to fix its permanent seat and settle the violent sectional discussions which continually arose upon the subject between the Northern and Southern States. The necessity of selecting a residence in which the government might exercise sufficient authority to protect itself from insult and violence, had been generally admitted since

June, 1783, when congress was driven from Philadelphia by the mutiny of a part of the Pennsylvania line, for the purpose of compelling congress to make good their arrears of pay. In this emergency, a committee was appointed, with Alexander Hamilton at its head, to ask the executive of Pennsylvania for assistance; but they reported that the Philadelphia militia could not be depended on for protection, and that congress was at the mercy of the mutineers. When this report was made, Messrs. Ward, Mercer and others, "being much displeased, signified if the city would not support congress, it was high time to remove to some other place." After discussing the situation with General St. Clair, congress, on the next day, adjourned to Princeton. This adjournment made the establishment of a federal capital a necessity, and it continued to be made the subject of discussion down to its final adoption, in 1790. On October 7, 1783, Mr. Gerry introduced a resolution that buildings for the use of congress be erected on or near the banks of the Delaware or Potomac, provided that a suitable place could be obtained for a federal town, and that the right of soil and an exclusive jurisdiction be vested in the United States. This statute was repealed on the 26th of April, 1784, and on the 30th of October following, while congress was sitting at Trenton, they appointed three commissioners to lay out a district on either bank of the Delaware, "not more than eight miles above or below the falls." They were authorized to purchase soil, erect and complete, in an "elegant manner," a Federal house, President's house, houses for the Secretaries of Foreign Affairs, War, Marine and Treasury; but owing to the resistance of the southern members, no appropriation to carry out the provisions of the Act was made, and the law was never carried into execution. On the 13th of January, 1785, an effort was made to substitute the Potomac, but failed. On the 10th of May, 1787, Mr. Lee, of Virginia, offered a resolution "for erecting the necessary public buildings for the accommodation of congress, at Georgetown, on the Potomac River," which was lost. The new Constitution, of 1787, declared,[1] that congress shall have power to exercise exclusive legislation over such a district, not exceeding ten miles square, as may, by the cession of States, become the seat of government. No action was had under this provison of the Constitution until December 23d, 1788, when the General Assembly of Maryland passed "an Act to cede to congress a district of ten miles square, in this State, for the seat of the government of the United States." By this Act it was enacted "by the General Assembly of Maryland, that the representatives of this State in the House of Representatives of the Congress of the United States, appointed to assemble at New York on the first Wednesday of March next, be, and they are hereby authorized and required, on behalf of this State, to cede to the Congress of the United States any district in this State, not exceeding ten miles square, which the congress may fix upon and acccept for the seat of government of the United States." On the 27th of December, Virginia passed a similar resolution, but no action was taken by congress upon the measure until the 5th of September, 1789,

[1] Article I., section 8.

when a resolution passed the House of Representatives "that the permanent seat of the government of the United States ought to be at some convenient place on the banks of the Susquehannah, in the State of Pennsylvania."

In the debates to carry this resolution into effect, much feeling was displayed by the southern members, and particularly by those from Virginia. They earnestly contended that the bank of the Potomac was the most suitable location. Mr. Madison, in the course of his debate, went so far as to declare that if the proceedings of that day had been foreseen by Virginia, that State might not have become a party to the constitution. As it was a matter of great importance, Mr. Scott declared that "the future tranquillity and well-being of the United States depended as much on this as on any question that ever had or could come before congress." And Mr. Fisher Ames remarked that "every principle of pride and honor, and even of patriotism were engaged." "I confess," said Mr. Vining, "to the House and to the world, that viewing this subject in all its circumstances, I am in favor of the Potomac. I wish the seat of government to be fixed there because I think the interests, the honor, and the greatness of the country require it. I look on it as the centre from which those streams are to flow that are to animate and invigorate the body politic. From thence, it appears to me, that the rays of government will naturally diverge to the extremities of the Union. I declare that I look on the western territory in an awful and striking point of view. To that region the unpolished sons of earth are pouring from all quarters—men to whom the protection of the law and the controlling form of government are equally necessary. From this consideration I conclude that the bank of the Potomac is the proper situation." The bill passed the House by thirty-one ayes to nineteen nays, with an amendment striking out the word Susquehannah, and inserting a clause that the permanent seat of government should be established at Germantown, Pennsylvania, whenever that State or its citizens should agree to pay one hundred thousand dollars for the erection of public buildings. The bill then went back to the Senate for the consideration of the amendment, and before the Senate could act upon it, congress adjourned.

The fact that the North had the preponderance of votes in congress, now aroused Maryland and Virginia, who were determined to evoke the power of money. On the 3d of December, 1789, the Legislature of Virginia passed an Act, ceding to congress a district for the location of the seat of government in that State, and on the 10th, transmitted the same to the Assembly of Maryland. At the November session of 1790, the Legislature of Maryland passed the following resolution:

"Whereas by a resolution of the General Assembly of Virginia, passed on the 10th day of December, 1789, it was proposed to the General Assembly of Maryland, that the Assembly of Virginia will pass an Act for advancing a sum of money not less than one hundred and twenty thousand dollars to the use of the general government, and to be applied in such manner as congress shall direct, towards erecting public buildings, the

Assembly of Maryland, on their part, advancing a sum not less than three-fifths of the sum advanced by the said Assembly of Virginia; which resolution came so late to the last General Assembly of Maryland, that it could not be acted upon, and was therefore referred to this present session; And whereas this General Assembly doth highly approve of the object of the said resolution, and is desirous of doing everything required, on the part of Maryland, for carrying the same into effect. On a second reading the said resolution, RESOLVED, That this house doth accede to the proposition contained in the said resolution of the Assembly of Virginia and will advance to the President of the United States, for the purposes mentioned in the said resolution, the sum of seventy-two thousand dollars, payable to his order in three equal yearly payments."

At the same time, to secure the prompt payment of the sum advanced, the treasurer of the Western Shore was authorized to sell the "reserved lands to the westward of Fort Cumberland," and also "the lands lying in Dorchester County, and now in the possession of the tribe of Choptank Indians," and "to sell and convey the right of this State to one hundred acres of land at Fort Frederick, in Washington County." New York and Philadelphia at the same time offered to continue their "elegant and convenient accommodations." New Jersey offered suitable buildings at Trenton. Baltimore subscribed in fourteen days over £20,000, towards the erection of all the government edifices, if the capitol should be located in that city.[1]

On the 31st of May, 1790, a bill was introduced in the Senate to determine "the permanent seat of congress and the Government of the United States." Baltimore and Georgetown again pressed their claims, but the motion was finally carried that a site "on the river Potomac, at some place between the mouths of the Eastern branch and the Conecocheague, be, and the same is hereby accepted, for the permanent seat of the Government of the United States." Mr. Varnum says:

"The debates on the several resolutions and bills elicited much warmth of feeling and sectional jealousy. Almost all were agreed that New York was not a suitable place, as not being sufficiently central.[2]

[1] The rapid growth of the "town of Baltimore" and its increasing commerce excelled, at this time, the admiration of its citizens. The clearances from its port from the 1st of January, 1788, to the 1st of January, 1789, amounted to 615 vessels, consisting of 52 ships, 7 snows, 126 brigs, 276 schooners, and 154 sloops. Of these, 24 ships, 29 brigs, and 28 large schooners and sloops belonged to the port. A correspondent in the Maryland *Gazette*, in showing the advantages of Baltimore for the permanent residence of congress, says that it has "as secure a harbor for shipping as the world can afford; a capacious basin, capable of being made to contain 1,000 ships, without any risk from winds, injury from freshets, or ice in the winter, or worms in the summer," and "Jones' Falls might, at small expense, be conducted through every part of the town;" fuel, coal and lumber they had "for centuries to come." Another correspondent proposed to enclose the basin on the east by a wharf, with a draw-bridge running from West Falls avenue across the basin; on the west by Light street, on the north by Camden street, and on the south by Lee street—within which space there would be "along the town and point water sufficient to accommodate all the ships belonging to the United States." Another correspondent, who did not admire the appearance of the town, said: "Should congress ever settle in Baltimore, what would foreign ambassadors think of their taste, when they observed but few tolerable streets in all the metropolis, and even those disgraced by such a number of awkwardly built, low, wooden cabins—the rest of the town being divided by irregular, narrow lanes?"

[2] By a calculation made by Dr. Patterson, of the United States Mint, at Philadelphia, the centre of representative population of the United States in 1790 was in Baltimore County, thirteen miles south of the Pennsylvania Line.

"There was much division of sentiment as to the relative advantages of Philadelphia and Germantown, in Pennsylvania; Havre-de-Grace and a place called Wrights' Ferry, on the Susquehanna; Baltimore, on the Patapsco, and Conecocheaque, on the Potomac. The two last were about equally balanced for some time in the number of supporters. It was remarked, by one of the members of Maryland, that the people of that State were in the situation of Tantalus, uncertain which to prefer, the Susquehanna or the Potomac. Mr. J. Smith set forth the advantages of Baltimore, and the fact that its citizens had subscribed $40,000 for public buildings. The South Carolinians offered an apparently whimsical objection to Philadelphia, to wit: the number of Quakers, who they said, were eternally dogging the Southern members with their schemes of emancipation. Others ridiculed the idea of building palaces in the woods. Mr. Gerry, of Massachusetts, thought it highly unreasonable to fix the Seat of Government in such a position as to have nine States out of the thirteen to the northward of the place, and adverted to the sacrifices the Northern States were ready to make in being willing to go so far south as Baltimore. Mr. Page said New York was superior to any place he knew for the orderly and decent behavior of its inhabitants. The motion to insert Baltimore instead of the Potomac was negatived by a vote of thirty-seven to twenty-three."[1]

The Act "establishing the temporary and permanent seat of Government of the United States,"[2] was finally passed on the 16th of July, 1790, by a vote of thirty-two to twenty-nine. The first section of this Act provides "that a district of territory not exceeding ten miles square, to be located, as hereafter directed, on the river Potomac, at some place between the mouth of the Eastern Branch and Conecocheague, be, and the same is hereby accepted for the permanent seat of Government of the United States."

Thus it was that this "sugar-plum" was given to the South for their adoption of the "assumption bill," which Mr. Jefferson says was "a bitter pill" to the Southern States, and it was necessary that "some concomitant measure should be adopted to sweeten it a little to them."[3] In compliance with the Act of Congress, President Washington, in 1790, visited Williamsport,[4] in Washington County, but not liking the situation, he finally selected the present site as the future capital of the country. As the Act passed by Congress required the district to be located above the mouth of the Eastern Branch, he procured on the 3d of March, 1791, the passage of an amendatory

and seventeen miles north of Baltimore. In 1800, it was in Carroll County, seven miles south of the Pennsylvania Line and nine miles northeast of Westminster. In 1810, it was Adams County, Pennsylvania. In 1820, it was Morgan County, Virginia. In 1830, Hampshire County, Virginia; and in 1840, in Marion County, Virginia.

[1] *Seat of Government*, p. 11.

[2] The word "temporary," referring to Philadelphia, where the congress were to hold their sessions until 1800, when, as Mr. Wolcott expressed it, "they were to go to the Indian place with the long name, on the Potomac," referring, no doubt, to Conecocheague (now Williamsport, Washington County, Maryland).

[3] Jefferson's *Works*, iv., p. 448.

[4] It was laid out shortly after the Revolutionary War, by General Otho H. Williams, and called after his own name. The following anecdote is related of Washington's visit to this place for the selection of a site for the capitol. When standing with a group, at the fountain on "Springfield Farm," adjoining the village of Williamsport, Washington observed to Colonel Elie Williams, the brother of General Otho H. Williams, that it was "upwards of thirty years since I visited this spot, which was then an entire wilderness during Braddock's war, and the only improvement to be seen in the face of the country was the hut of Colonel Cresap, who had his quarters here," pointing with his whip to an old shed a few hundred yards off, and continued—"that, sir, is the remains of Cresap's habitation."—Maryland *Gazette*, July 10, 1828.

Act, by which he was authorized to make "any part of the territory below the said limit, and above the mouth of Hunting Creek, a part of said district, so as to include a convenient part of the Eastern Branch, and of the lands lying on the lower side thereof, and also the town of Alexandria, provided that no public buildings be erected otherwise than on the Maryland side of the Potomac."

On the 24th of January, 1791, President Washington, in compliance with the Act of Congress, appointed Hon. Thomas Johnson and Hon. Daniel Carroll, of Maryland; and Dr. David Steuart, of Alexandria, Virginia, commissioners, and directed them to lay off "the Territory of Columbia." Having completed their task of selecting the site, the president, on the 30th of March following, located the district for the permanent seat of the government, and in a letter to Thomas Jefferson, Secretary of State, dated March 31st, 1791, he gives the following result of his efforts:

"The terms entered into by me, on the part of the United States, with the land-holders of Georgetown and Carrollsburg are—that all the land from Rock Creek along the river to the Eastern Branch, and so upwards to or above the Ferry, including a breadth of about a mile and a half, the whole containing from three to five thousand acres, is ceded to the public on condition that when the whole shall be surveyed and laid off as a city (which Major L'Enfant is now directed to do), the present proprietors shall retain every other lot; and for such part of the land as may be taken for public use, for squares, walks, etc., they shall be allowed at the rate of twenty-five pounds [$66.67] per acre, the public having the right to reserve such parts of the wood on the land, as may be thought necessary to be preserved for ornament; the land-holders to have the use and profits of all the grounds until the city is laid off into lots, and sale is made of those lots, which by this agreement become public property. Nothing is to be allowed for the ground which may be occupied as streets or alleys."[1]

Under the date of April 10th, Mr. Jefferson replied, rejoicing in the economy of the bargain:

"The acquisition of ground at Georgetown is really noble, considering that only £25 an acre is to be paid for any grounds taken for the public, and the streets not to be counted, which will, in fact, reduce it to about £19 an acre. I think very liberal reserves should be made for the public."[2]

The territory thus selected by Washington was mainly owned by four planters, Daniel Carroll, David Burns, Samuel Davidson and Notley Young, who conveyed their property on the 19th of June, 1791, to Thomas Beall of George, and John M. Gantt, in trust, to be laid out for a Federal City; and the said Thomas Beall of George, and John M. Gantt, were to convey to the commissioners for the use of the United States forever, all the streets and such of the said squares, parcels and lots as the president should deem proper for the use of the United States forever.

In carrying out the objects of the Act of Congress, the commissioners on the 15th of April, superintended the fixing of the first corner-stone of the District of Columbia at Jones' Point, near Alexandria, where it was laid with

[1] Sparks, x., p. 147. [2] Varnum, p. 27.

all the Masonic ceremonies usual at that time.[1] And on the 29th of June following, agreeably to appointment, the president and the three commissioners, with a large number of gentlemen, met in "the Federal Town" to select the situations for the public buildings. "Jenkins Hill, on the east side of Goose Creek, the property of Mr. Daniel Carroll, Jr.," was chosen as the site for the Capitol, and "that part of the district called Hamburgh, near Burn's gate," was selected for the president's house.

The name which Washington City and the District of Columbia now bears was adopted by the first commissioners, for, in a letter to Major L'Enfant, dated Georgetown, September 9th, 1791, they inform the engineer that they have agreed that the Federal District shall be called "the Territory of Columbia," and the Federal city "the City of Washington;" and directs him to entitle his map accordingly.

On the 19th of December, 1791, the General Assembly of Maryland passed an Act ceding to the United States, for the permanent seat of the government, that portion of the territory which lies within the State of Maryland, which, together with that ceded by Virginia, made a tract ten miles square, bounded as follows:

"Beginning at Jones' Point, being the upper point of Hunting Creek, in Virginia, and at an angle, in the outset, of forty-five degrees west of the north, and running a direct line ten miles, for the first line, then beginning again at the same Jones' Point, and running another direct line at a right angle with the first, across the Potomac, ten miles, for the second line, then from the terminations of the said first and second lines, running two other direct lines, ten miles each, the one crossing the Eastern Branch and the other the Potomac, and meeting each other in a point; which has since been called the Territory of Columbia."

This Act, although it ceded a portion of the territory of the State, did not rest the rights of its citizens on the provisions of the constitution alone; but by the following clause, it will be seen that the legislature expressly reserves them in the articles of cession, and denies the power to congress to interfere with the right of property. The Act of cession declares:

"That all that part of the said territory called Columbia, which lies within the limits of this State, shall be, and the same is hereby acknowledged to be forever ceded and relinquished to the Congress and Government of the United States, in full and absolute right and exclusive jurisdiction, as well of soil as of persons residing, or to reside thereon, pursuant to the tenor and effect of the eighth section of the first Article of the Constitution of Government of the United States; provided, that nothing herein contained shall be so construed to vest in the United States any right of property in the soil, as to effect the rights of individuals therein, otherwise than the same shall or may be transferred by such individuals to the United States; and provided also, that the jurisdiction of the laws of this State over the persons and property of individuals residing within the limits of the cession aforesaid, shall not cease or determine until Congress shall, by law, provide for the government thereof, under their jurisdiction, in manner provided by the Article of the Constitution before recited."

[1] By the retrocession of Alexandria, this stone is no longer within the limits of the District.

As slavery was a species of property and existed in the District of Columbia before this Act of cession, it was regarded as included in the compact between three high sovereign parties—sovereign and independent within their respective spheres, and qualified and competent to enter into a compact, and therefore not to be annulled without the consent of all the parties. Slavery existed in the District of Columbia before the constitution and the laws to which it gave origin, were framed; and the obligations which it was intended to enforce, were recognized and declared to be in force before the government was established there. Maryland, Virginia and the general government recognized this principle by various Acts of legislation, etc., up to the time of its abolishment, and the Senate of Maryland reiterated this doctrine as late as the year 1837, when they resolved upon Mr. Joseph S. Cottman's resolution:

"That Congress does *not* possess the power to abolish slavery in the District of Columbia; and in the opinion of this legislature, the aboiition of slavery in said District by Congress would be a violation of the terms and conditions upon which the cession of the District of Columbia was made to the Federal Government; and, in the event of such violation, the territory included in said District, ought, and of right will, revert respectively to the States of Virginia and Maryland."

On the 29th of September, 1792, President Washington authorized the commissioners to dispose of any lot or lots, in the city of Washington, at private sale for such price, and on such terms as they should think proper. No sales however, of any consequence took place until the 23d of December, 1793, when a contract was made with Robert Morris, of Philadelphia, and James Greenleaf, of New York, for the sale of six thousand lots, averaging five thousand two hundred and sixty-five square feet each, and situated southwest and northeast of Massachusetts avenue for the sum of $80 per lot, payable in seven equal annual installments, without interest, commencing on the 1st of May, 1794, and with a condition of building twenty brick houses annually, two stories high, and covering twelve hundred square feet each. This contract was afterwards modified by an agreement dated April 24th, 1794, by which the payment of $80,000 and erecting the houses should rest on the joint bond of Morris, Greenleaf and John Nicholson; and that one thousand lots should be conveyed to the said Morris and Greenleaf.

On the 18th of September, 1793, the southeast corner-stone of the north wing of the capitol,[1] was laid with Masonic honors, George Washington, Worshipful Master, of Lodge No. 22, Virginia, directing, assisted by the Grand Lodge of Maryland, and several lodges under its jurisdiction, a volunteer company of artillery from Alexandria, with mayor and other corporate officers of Washington, Georgetown and Alexandria, and a numerous body of citizens. The orator of the day, was Joseph Claude, of Annapolis. The Maryland

[1] While the original buildings were being erected, a bridge was built over Rock Creek from the refuse material. The names of the thirteen original States were engraved on the stones—that of Pennsylvania on the keystone, hence the name of "Keystone State," which it has borne ever since.

Gazette, of September 26th, informs us that at the conclusion of the ceremonies, "the whole company retired to an extensive booth, where an ox of five hundred pounds weight, was barbacued; of which the company generally partook, with every abundance of other recreation."

We have already stated, that as an inducement for the selection of this site, Virginia advanced $120,000 for the construction of the public buildings, and Maryland $72,000. This sum was soon exhausted, and moreover, Robert Morris and James Greenleaf, who had purchased large tracts of land, not only failed to pay the first instalment, which fell due in May, 1795, but early in that year discontinued the buildings, which they had commenced under their contract. The president, finding that the work on the public buildings must stop for the lack of funds, and that it would not be prudent to offer for sale so large a portion of the public property as would be necessary to raise the sums requisite to complete them, sent a message to Congress in 1796, in which he urged the propriety of authorizing a loan, secured by the city property, and if that should prove deficient, then Congress was to guaranty it. Congress approved of the measure, and authorized a loan under their guaranty to the amount of $300,000. But so low was the credit of the young capital, and so uncertain her further existence, that it was impossible to obtain the smallest loan. After various unsuccessful attempts to borrow money at home and abroad, Washington determined to make a personal application to the State of Maryland for a loan. In a letter to Governor John Hoskins Stone,[1] dated Philadelphia, December 7th, 1796, he says:

"SIR: The attempts lately made by the Commissioners of the City of Washington to borrow money in Europe for the purpose of carrying on the public buildings, having failed, or been retarded, they have been authorized by me to apply to your State for a loan of $150,000, upon terms which they will communicate. Such is the present condition of foreign nations with respect to money, that according to the best information, there is no reasonable hope of obtaining a loan in any of them immediately, and application can now only be made in the United States upon this subject with any prospect of success, and perhaps nowhere with greater propriety than to the Legislature of Maryland; where, it must be presumed, the most anxious solicitude is felt for the growth and prosperity of that city, which is intended for the permanent seat of government for America.

"If the State has it in its power to lend the money which is solicited, I persuade myself it will be done; and the more especially at this time when a loan is so indispensable, that without it not only very great and many impediments must be induced in the prosecution of the work now in hand, but inevitable loss must be sustained by the funds of the city in consequence of premature sales of public property. I have thought I ought not to omit to state, for the information of the General Assembly, as well the difficulty of obtaining money on loan as the present necessity for it, which I must request the favor of you most respectfully to communicate."

[1] John Hoskins Stone, the son of David Stone, while young, and at an early period of the Revolutionary War, was the first captain in Smallwood's First Maryland Regiment. He was made colonel in December, 1776, and resigned August 1, 1779. He greatly distinguished himself at the battles of Long Island, White Plains, Princeton and Germantown, in the last of which he received a severe wound, which disabled him for further service. In 1781, he became a clerk in the office of R. R. Livingston, Secretary of Foreign Affairs; and subsequently represented his native county (Charles) in the Assembly and as a member of the Executive Council of Maryland. In 1794, he was elected governor, and served three successive terms—the constitutional limitation. He died, Friday, October 5, 1804, in the fifty-fourth year of his age.

Such was the influence of his name, that Maryland, on the 4th of December, 1796, lent $100,000, to be used for the erection of the Capitol buildings; but so low was the credit of the general government, that, as an additional guaranty of the repayment of the loan, the State required Gustavus Scott, William Thornton and Alexander White, the three commissioners, in their individual capacity, to give bond of $200,000. On the 22d of December, 1797, the State lent them an additional sum of $100,000, upon similar terms, and on the 23d of December, 1799, $50,000 more. As security for the latter sum, Gustavus Scott and William Thornton gave their individual bond, together with Uriah Forrest[1] and James Maccubbin Lingan.

The commissioners reported, in 1800, that the public buildings were ready for occupation; and in June, the government officers, under the administration of President John Adams, removed from Philadelphia, and on the third Monday of November following, Congress opened its first session in the City of Washington.[2]

Having given this brief sketch of the foundation of the Federal Capital, we will now go back to the 25th of December, 1789, when the General Assembly of Maryland created Alleghany County, from that portion of the State lying west of Sideling Hill Creek, in Washington County.

When the Constitution of the United States went into effect, Maryland, as we have seen, was divided into six districts, for the election of representatives in Congress, and one member assigned to each, but all the members were voted for by general ticket, throughout the State. At this election, in 1789, when there was nothing particularly or locally interesting to Baltimore, she cast a little more than eight hundred votes, and these were divided almost equally between the two sets of candidates. From some unknown cause, Baltimore City afterwards became dissatisfied with five of the members then elected, and at the next election it was determined to leave them out. Accordingly, a short time before the election of 1790, a caucus was held, and Philip Key,[3] Joseph Seney, Wm. Pinkney, Samuel Sterett, William Vans Murray and Upton Sheredine were nominated as candidates. Upon the announcement of this ticket, the counties became alarmed at the supposed assumption of power and influence of Baltimore, and immediately called a conven-

[1] General Uriah Forrest was born in St. Mary's County, in 1756, and attained the rank of lieutenant-colonel in the Maryland Line, and received a wound at the battle of Germantown, from the effects of which he never recovered. He was appointed Auditor of Maryland, a member of the old congress in 1786-7; often a member of both branches of the State Legislature, a major-general of militia, member of congress in 1793-5, and at his death, near Georgetown, July 6, 1805, he was Clerk of the Circuit Court of the District of Columbia.

[2] On the 15th of May, 1800, there were then forty-seven brick and one hundred and nineteen frame houses completed in the city. Georgetown was incorporated on the 25th of December, 1789, by the Legislature of Maryland, with Robert Peter, mayor; John Mackall, recorder; and Brooke Beall, Bernard O'Neale, Thomas Beall of George, James Maccubbin Lingan, John Threlkell and John Peter, aldermen.

[3] Philip Key was born in St. Mary's County, in 1750; received a classical and commercial education, and devoted to agricultural pursuits. He served a number of years in the Legislature, and was for one or two terms speaker. He also rendered some service in the courts of his county. He was a member of congress from 1791 to 1793, and died in January, 1820.

tion of deputies in Baltimore on the 23d of September, 1790, who were authorized to nominate candidates. On the day appointed, the county's deputies assembled and nominated for their candidates, Michael Jenifer Stone,[1] Benjamin Contee,[2] George Gale and Daniel Carroll, four of the old members, and James Tilghman, of James, and Samuel Sterett. When the election came off, Baltimore cast upwards of three thousand votes for her own ticket, while six votes was the highest number which any one of the county candidates received. In the counties, the votes were very much divided between the two tickets, and as a consequence, Baltimore elected her ticket by a large majority and thereby took control of the politics of the State. The counties now regarded the plan of electing members of congress by general ticket as "destructive of their influence and interests," and at the next session of the legislature, on the 19th of December, 1790, the law was changed, so that the elector only voted for a candidate of his own district, by which it was enacted "That every person entitled and offering to vote for representatives for this State in the Congress of the United States, shall have a right to vote for one person, being a resident of his district at the time of his election." This change of the law confined the direct influence of Baltimore to the election of its own ticket as at present, and the counties were restored to their "proper station and dignity, and independence." The electors of president and vice-president, were still to be chosen by general ticket, but five of them were to be residents of the Western Shore and three of the Eastern Shore.

At this same session of the legislature, on the 21st December, 1790, an Act was passed "for the better administration of justice in the several counties of the State." And in accordance therewith, the governor and council, in January following, appointed to the benches of the several counties, chief and associate justices "of integrity, experience and sound legal knowledge," among whom we find the names of many of the leading patriots of the State.[3]

[1] Michael Jenifer Stone, son of David Stone and his second wife Elizabeth Jenifer, was born in Charles County about the year 1750, and died in 1812. He married his cousin, Mary Hanson Briscoe, and had five children. He was a brother of Thomas Stone and Colonel John Hoskins Stone, of Revolutionary fame. He was a representative in congress in 1789-91, and was subsequently, for many years, Judge of the Charles County Circuit Court. He was one of those who voted with Daniel Carroll and others for locating the seat of government at Washington City.

[2] Benjamin Contee was a Protestant Episcopal clergyman, and died in Charles County, November 3, 1815, aged sixty years. He was an officer in the 3d Maryland Battalion in 1776, a delegate to congress in 1787-8, and again in 1789-91. He was Chief Judge of the County Orphan's Court.

[3] For the first district, Michael Jenifer Stone, Esq., chief justice. Associate Justices—For St. Mary's County, John De Butts and Zachariah Forrest; for Charles County, George Lee and George Dent; for Calvert County, Joseph Winkinson and Wm. Grahame; for Prince George's County, David Craufurd and Walter Bowie.

For the second district, James Tilghman, Esq., chief justice. Associate Justices—For Talbot County, William Perry and James Tilghman; for Queen Anne's County, James Hollyday and Edward Harris; for Kent County, Samuel Chew and James Lloyd; for Cecil County, Tobias Rudolph and Stephen Hyland.

For the third district, Benjamin Nicholson, Esq., chief justice. Associate Justices—For Anne Arundel County, Nicholas Carroll and William Campbell; for Baltimore County, Otho Holland Williams and Charles Ridgely of William; for Harford County, Samuel Hughes and Benedict Hall.

For the fourth district, John Dove, Esq.,

In March, President Washington decided to make a tour through the Southern States. He travelled by way of Chestertown, in Kent County, to Rock Hall, where he and his suite embarked for Annapolis. He arrived there on the 25th, accompanied by his private secretary, Major Jackson, and was cordially received by Governor John Eager Howard, and other distinguished gentlemen. In the morning he attended with the governor St. Johns College, and in the afternoon partook of a public dinner at Mann's Tavern, given by the citizens of the city. On the 26th, an elegant entertainment was given him by the governor, which closed with a grand ball in the evening, and was attended by all the beauty and elegance of the place. On his leaving the city he was accompanied as far as South River by a number of the leading citizens.

Thomas Johnson, who had been chosen governor in November, 1788, but declined the honor, and who had been Chief Judge of the General Court of Maryland since the 20th of April, 1790, was appointed on the 5th of August, 1791, by President Washington, one of the Associate Justices of the Supreme Court of the United States, in the place of John Rutledge, resigned. He accepted this latter position, and was confirmed on the 7th of November following. He resigned, however, in 1793, and William Patterson, governor of New Jersey, was appointed and confirmed on the 4th of March, in the same year, to fill the vacancy. Upon the resignation of Thomas Johnson as Chief Judge of the General Court of Maryland, Samuel Chase was appointed on the 7th of October, 1791, to the office.

In 1791, an expedition against certain tribes of western Indians was decided upon under the command of General St. Clair. Colonel Henry Lee, of Virginia, was to command one regiment of levies to be raised in Maryland, Virginia and Pennsylvania. These troops assembled in the vicinity of Fort Washington (now Cincinnati,) early in September, and consisted nominally of two thousand regulars and one thousand militia, including a company of artillery and several squadrons of horse. On the 4th of November, being reduced to fourteen hundred effective men, after penetrating to a tributary of the Wabash, fifteen miles south of the Miami villages, and almost a hundred from Fort Washington, they were fiercely attacked by a large number of Indians. For two hours and a half, the Indians, concealed in the woods, slaughtered the troops from every point, when they fled in disorder, leaving their artillery, baggage, etc., in the hands of the enemy. The entire loss was estimated at six hundred and seventy-seven killed, including thirty women, and two hundred and seventy-one wounded. Ensign George Chase, of Baltimore, was killed, and Captain William Buchanan, and a number of Marylanders were wounded.

chief justice. Associate Justices—For Caroline County, William Richardson and Henry Downes; for Worcester County, William Morris and Peter Chaille; for Somerset County, William Winder and Henry Jackson; for Dorchester County, Robert Harrison and Moses Lecompte.

For the fifth district, Richard Potts, Esq., chief justice. Associate Justices—For Montgomery County, Benjamin C. Stoddert and Jeremiah Crabb; for Frederick County, Upton Sheredine and John R. Key; for Washington County, Thomas Sprigg and Henry Shryock; for Alleghany County, Andrew Bruce and John Simpkins.

This defeat produced great alarm on the borders, and Congress took prompt and immediate action by authorizing an army of five thousand men, to be equipped for frontier service. General Anthony Wayne was appointed commander-in-chief, and Colonel Otho H. Williams, of Maryland, and Colonel Rufus Putnam, brigadier-generals under him. Several companies joined this new expedition in July, 1792, under the command of Captain Campbell Smith, of Baltimore, and Captains Lewis, Carberry and Benjamin Price, of Frederick. Cumberland was the place of rendezvous. A short time after this, the Indians were routed in an engagement in which Captains Smith and Price were severely wounded.

The increasing virulence of party spirit continually manifest in Congress, the distractions in his cabinet, and the cares of government, began to make Washington thoroughly weary of public life, and early in 1792, he resolved to retire from it at the end of the term for which he had been elected to the presidency; but the urgent pleadings of his friends and the ardent desires of the people in all parts of the country caused him as usual, to sacrifice personal inclinations to the public welfare, and he consented to be a candidate for re-election. On the 5th of December, 1792, Alexander Contee Hanson,[1] John Eager Howard, Thomas Sim Lee, William Smith, Samuel Hughes, Richard Potts, William Richardson, Donaldson Yeates, Joshua Seney and Levin Winder, the Maryland electors for president and vice-president, assembled at Annapolis and cast their vote for George Washington for president and John Adams for vice-president.[2] In the election, Washington received the entire electoral vote of 137 for president. For vice-president, John Adams received 77 votes; George Clinton, 50; Thomas Jefferson, 4, and Aaron Burr, 1.

The French Revolution of 1789, had an immediate and immense effect on all the French colonies. In the Island of St. Domingo, it was announced with the wildest enthusiasm, and kindled a flame of mad excitement that portended terrible results to the colony. A very strong prejudice against the West Indian planters on account of negro slavery, prevailed at this time

[1] Alexander Contee Hanson, the son of John Hanson and Jane Contee, was born on the 22d of October, 1749, and died at Annapolis on the 16th of January, 1806. Upon the formation of the General Court in 1777, Charles Carroll, Barrister, was appointed chief judge, and Benjamin Rumsey and Solomon Wright judges. They declined to accept, and Wm. Paca, chief judge, and Henry Hooper and Alexander Contee Hanson were appointed on the 12th of February, 1778, to fill the vacancies. Upon the death of John Rogers, Chancellor of the State, Robert Hanson Harrison was appointed on the 1st of October, 1789, to fill the vacancy, but as he declined, Alexander Contee Hanson was appointed on the 3d of October, 1789, to the office, which he held until his death, at Annapolis. He was elector for President in 1789 and again in 1792. Under the direction of Mr. Hanson and Samuel Chase, the laws of Maryland passed from the 26th of November, 1763, to the close of the session of Assembly of 1784, were published. In 1789 he was appointed to digest the testimentary laws of the State. He was also the author of a number of celebrated political pamphlets. He married Rebecca Howard, of Annapolis, and had three children—Charles Wallace Hanson, who was appointed associate judge of the sixth judicial district, composed of Baltimore and Harford counties, in the place of Zebulon Hollingsworth, removed; Alexander Contee Hanson, and a daughter who married Thomas Peabody Grosvenor, of New York.

[2] Samuel Hughes and William Smith were not present.

in France, a prejudice which was fomented by a society called "Les Amis des Noirs" (Friends of the Blacks). This society, formed in February, 1788, circulated its protests with such extraordinary zeal and rapidity, that the question became the topic of universal discussion. Many mulattoes from St. Domingo and the other French islands, were residents of Paris, and being mostly men of wealth and intelligence, the "Amis des Noirs" cultivated their acquaintance.

Their personal appearance excited pity, and co-operating with the spirit of the times, and the representations of their friends who sympathized with their condition, all ranks of people became clamorous against the white colonists, and the severest measures were threatened unless they would give the blacks all the rights and privileges of French citizens. Therefore, when the monarchy was overthrown, one of the first Acts of the National Assembly was to pass a "Declaration of Rights." In this declaration, passed on the 20th of August, 1789, one of the clauses asserted, that "all men are born, and continue free and equal as to their rights."

Up to this time the free population of the island had remained tranquil, and taken no part in the political excitement. But every new change in the aspect of things in France, had its corresponding effect in St. Domingo. The natural operation of the principles contained in the "Declaration of Rights," was to create an immediate desire among the free population of the colonies to participate in the rights guaranteed by its enactments. A movement was soon manifest among them. "The mulattoes petitioned that they might be invested with their lately acknowledged rights, and demanded that they should be raised from their political degradation to full enfranchisement as citizens. They urged that their order, possessing one-third of the real estate and one-fourth of the personal effects of the colony constituted its natural safeguard against the pretentions of the great proprietors on the one hand, and the seditious spirit of the lower class of whites on the other. A deputation of their number embarked for France, and while pleading their rights of citizenship at the bar of the National Assembly, they made an offer of their treasures to the wants of the State, proposing in the name of their caste the payment of six millions, to be employed in the liquidation of the debt of their common country."[1]

These workings of innovation aroused the fears of all classes of whites in St. Domingo, and every movement grew more and more portentous. The mulattoes continued to make occasional exertions to procure, if possible, an investiture of the privileges which they deemed had been decreed to them by the Bill of Rights. While they were endeavoring to adapt the country to the new order of things in France, the National Assembly, on the 8th of March, 1790, issued a decree in which they declared "that after the proclamation of the law, every person of twenty-five years or upwards, who was the proprietor of real estate, or in fault of that, who had been a resident in the place for

[1] Brown, i., p. 140.

two years, and who had been taxed for the support of the colony, should assemble for the purpose of electing members to the colonial assembly." When the tidings of this law, by which the subject of color was studiously excluded, reached the island, no bounds could restrain the indignation of the white colonists; and they declared that they would sooner perish in one universal calamity than share their privileges with a bastard and degenerate race. Execrations, loud and deep, were poured out against the National Assembly, the lives of the French residents in the island were in danger, and threats were openly made to confiscate French property. After this decree had been officially dispatched to the authorities of the island, intelligence arrived at Paris of disturbances and universal disorder, and to retrace their steps, they passed, on the 28th of March, a set of instructions to explain their intention, in which they declared "that the assembly never had the design to comprehend the colonies in the constitution which it had decreed for the regulation of the kingdom, nor to subject them to laws which would be incompatible with their peculiar situation." It was likewise added "that the National Assembly wished to innovate in nothing, whether directly or indirectly, in relation to the colonies."

This new decree gave rise to discontent and agitation among the mulattoes, and soon after fearful outbreaks occurred in several portions of the island, and many of the timid and prudent of the white inhabitants, as if anticipating the coming storm, gathered together their effects and abandoned the unhappy country.

The passage of the last decree put for a time, a damper upon the future hopes of the "Amis des Noires," but their zeal was not destroyed, and their exertions continued as incessant and untiring, as they deemed their object humane. The progress of the revolution brought a continual gain to their ranks and influence, until finally the condition of the mulattoes of the colonies came to be considered an abuse which should be redressed without a moment's delay. "Let even the last of our colonies perish," said Robespierre, "rather than sacrifice one iota of our principles." On the 15th of May, 1791, a decree was passed "that all people of color, residing in the French Colonies and born of free parents, were entitled to the same privileges as French citizens, and among others to the right of voting at elections, and to a seat in the Provincial and Colonial Assemblies." The passage of this decree was hailed in France with acclamations of joy, but in St. Domingo, it awakened a spirit of insubordination among the slaves, which finally broke forth on the 20th of August, 1790, in an insurrection with all its terrors and calamities. It spread like a stream of fire from the sea shore to the mountains.

"Along their march of devastation they massacred every white person who fell into their power without distinction of age or sex, viewing with fiendish delight the agonies and groans of those whom so lately they had not dared to look in the face." "If they met with a firm and effective resistance the energy of their attack soon slackened—but if the

defence was weak and faltering, their boldness and audacity became extreme. They rushed forward to the cannon's mouth, and thrusting in their arms and bodies purchased the retreat of the enemy by this self immolation. Contortions and howlings were not the only means they used to intimidate their adversaries—the flames which they applied to the highly inflammable fields of cane, to the houses and mills of the plantations, and to their own cabins, covered the heavens with clouds of smoke by day and illuminated the horizon by night with gleams that gave to every object the color of blood. After a silence the most profound, there would arise an outcry from their camp the most appalling; this would again be followed by the plaintiff cries of their prisoners, whom the savages made it their sport to sacrifice at their advance posts. In the first moments of the rebellion the negroes had murdered all their prisoners, but as success increased, the complacency of triumph taught them more clemency, or perhaps they had become glutted with cruelty and crime. They no longer massacred the women and children, and only showed themselves cruel to their prisoners taken in battle, whom they put to death with such studied tortures as cannot be named without a thrill of horror. They tore them with red-hot pincers—sawed them assunder between planks—roasted them by a slow fire—carried their heads on pikes, or tore out their eyes with red-hot cork-screws." [1]

Sir James Baskett says:

"In this terrible war, human blood was poured forth in torrents. It was computed that within two months after the revolt first began, upwards of two thousand white persons, of all conditions of ages, had been massacred; that one hundred and eighty sugar plantations, and about nine hundred coffee, cotton and indigo settlements had been destroyed, and one thousand two hundred Christian families reduced from opulence to such a state of misery as to depend altogether, for their clothing and sustenance, on public or private charity. Of the insurgents, it was reckoned that upwards of ten thousand had perished by the sword or by famine; and some hundreds by the hands of the executioner." [2]

This state of things continued with varied results until the 20th of June, 1793, when a quarrel arose between an officer of one of the French ships, in the harbor of Cape Francois, and a mulatto dignitary of the town. The sailors, who, from frequent skirmishes with the now haughty mulattoes, deemed them, of all others, the enemy whom they would most gladly combat as soon as they learned of one of their ship-mates being insulted by a mulatto, took possession of the ships in the harbor, and recognizing General Galbard as governor of the place, immediately determined to resent the insult. They landed, and a scene of carnage raged for two days. The governor and his sailors, in course of time, were driven from the town, and took refuge in their ships, in the harbor. The commissioners who had charge of the town, armed the slaves for their defence, in order to prevent it from falling into the possession of their enemies.

"The terror was now heart-rending. The streets were filled with crowds of women, children, and the aged flying to the nearest asylum from the disaster which they so much dreaded. Some fled towards the harbor, and others to the Haut du Cap whither the commissioners had already retreated under the escort of the troops of the line. In the midst of this disorder the forces of the commissioners, swept by the guns of the arsenal,

[1] Brown's *History of St. Domingo*, p. 178. *History of St. Domingo*, 1824. Edwards' *History of the West Indies.*

[2] *History of St. Domingo*, p. 87.

appeared for an instant to waver. 'The commissioners became fired with a resentment which was ferocity itself when they saw that their hated opponents were likely to gain possession of the town—and rage suggested to them a terrible idea. The chains of the blacks were dashed off, the prisons were opened, and all negroes in confinement for offences, as well as the slaves of the town, amounting in number to six thousand, were armed and called to the assistance of the commissioners by the mulattoes. As if this were not enough, a message was despatched to the rebel chief Pierrot, to invite his assistance also, together with his hordes of savages. This was the signal for universal desolation. Thirsting for blood and pillage, these insurgents eagerly embraced the invitation and rushed forward with a portentous impetuosity, while their hideous howlings and shouts of exultation rose far above the noise of the cannon and musketry, and raised forebodings of horror which made every heart tremble. A vast mass of people were seen rushing toward the sea shore, to escape being massacred by the triumphant negroes; and in the next instant a crowd of these victims, in their haste to escape, were ingulphed in the sea. Every boat and plank in the harbor was crowded with others who had been more fortunate in finding something to assist their flight from the sword and vengeance of these ferocious auxiliaries of the commissioners. The town was now filled with their hordes and the work of pillage and destruction had already commenced. An appalling outcry was soon heard that the town was on fire in several places. Great numbers of the inhabitants had by this time arrived in safety aboard the ships in the harbor, whence they viewed in anguish and despair the sad spectacle of their blazing habitations, and could distinctly hear the shrieks of their relatives and friends, who had remained to die by the sword of the negroes. . . . . Meantime the flames had grown to a mighty conflagration, and the town presented the picture of an immense volcano."

All further negotiations becoming useless, M. Galbaud with the ships of the line *Jupiter* and *L'Eole*, several frigates and a number of small vessels sailed for the Chesapeake, carrying with him more than ten thousand refugees, the miserable remains of the once happy population of Cape Francois. Providence did not forsake these poor unfortunate exiles for the several States vied with each other in generous acts of hospitality.[1]

On the 9th of July, 1793, fifty-three vessels with about one thousand white and five hundred colored outcasts, arrived in Baltimore. They were, for a time, quartered in the houses of the citizens until they could find permanent homes. A committee composed of Robert Gilmor, George Presstman, Philip Rogers, Samuel Hollingsworth, Jeremiah Yellott, James Carey, James McHenry, Robert Smith, Zebulon Hollingsworth, Thomas McElderry, Stephen Wilson, John O'Donnell, Adam Fonerden, Thomas Coulson, Colonel Daniel Smith, David Plunkett, Samuel Sterett, Mr. Voucher, Mr. Cazanave and Paul Bentalou, were appointed to solicit subscriptions for their relief. In a very few days they succeeded in raising from the charitable citizens over $12,000 for the benefit of the destitute. Those more fortunate who brought capital with them entered into trade, in which a number achieved eminent success; others introduced new arts of cultivation and plants, both ornamental and esculent, hitherto unknown in the neighborhood; and with succeeding arrivals from the southern and western parts of the island, contributed to increase the wealth as well as the population of the town.

[1] Dr. J. Brown's *History of St. Domingo*, i., p. 250.

While these outcasts were fleeing from St. Domingo, after the execution of Louis the XVI, the French National Convention, on the 1st of February, 1793, declared war against England and Holland. One of their first acts was to appoint a representative to the United States to solicit the support of the sister republic, and to reclaim the privileges to which they considered France to be entitled under the two treaties, made with Benjamin Franklin on the 6th of February, 1778. Under Articles XVII and XXII, of the first treaty of friendship and commerce the French assumed that they might claim the exclusive right to arm and commission privateers within American ports, to bring into them their prizes, to cause the prizes thus brought in to be condemned by French consuls and sold, and even to capture vessels of the enemy within the limits of the maritime jurisdiction of the United States. At least such were the pretensions of their envoy, Monsieur, or, as he styled himself, Citizen, Genet, a Girondist of the most radical type, whose avowed object was to excite the people of the United States to a war with Great Britain.

On the other hand, Washington, then entering on his second term of office as president, was determined to preserve the neutrality of his country, and immediately on receiving intelligence of the outbreak of war, hastened from Mount Vernon to Philadelphia, and summoned his cabinet together, and soon after, on the 22d of April, 1793, issued a proclamation of neutrality.

The sympathies of the people of the United States were warmly engaged on behalf of France. The hostilities against England generated during the War of Independence, was kept alive and fostered by the excesses committed by the frontier Indians, who, it was alleged, were encouraged by the British authorities; disputes had been raised as to the interpretation of the treaty of 1783; American seamen were pressed for the British Navy; the English Government was said to exercise the right of search at sea, and to interfere with American merchant vessels in an arbitrary and unfriendly manner. Besides the difficulties arising from these and other similar complaints against the British Government, which rendered any measure which might be supposed to be favorable to England in the highest degree unpopular, the Cabinet of the President was divided into factions headed respectively by Jefferson, Secretary for Foreign Affairs, and Hamilton, Secretary of the Treasury. The former, who had served from 1782 to 1789 as Minister to Paris, was a republican of extreme views, and favored the French cause. The latter, the leader of the federal party, sympathized and inclined toward England.

In the meanwhile, Genet had sailed from France, provided with blank commissions or letters of marque for distribution in the ports of the United States. He arrived at Charleston, on the 8th of April, 1793, and at once proceeded to disregard the President's proclamation and organize a system of privateering. He had not been in the country a week, before he had commissioned four vessels to sail as privateers. He also authorized the French Consul in one town to hold prize courts and condemn and sell vessels captured by his privateers, and he then made a triumphant progress from Charleston to Philadelphia, organizing

red republican clubs and preaching hostility to England. Mr. Ham, the British Minister, vigorously remonstrated with Mr. Jefferson, but all to no purpose. Genet went on from one bold act to another, until at last, after fitting out a privateer in Philadelphia, he refused to detain her at the request of the government, and insolently avowed that if the attempt was made to detain her he would meet force with force. Genet, at the earnest solicitation of the American Government, was recalled in 1794, but he continued to send out privateers as long as he remained in the country; his consuls followed his example. During this war between France and Great Britain, Baltimore sent to sea some forty or fifty privateers under the French flag, to cruise against British commerce. A great number of these vessels were afloat within three months after the declaration of war, and they were not only equipped, armed and fitted out at that port, but they were owned, officered and manned by our citizens. These vessels were in the French and Spanish service, even after the British cruisers blockaded every French and Spanish port, from Antwerp clear to Genoa, and they continued to make captures while the war lasted. The records of the Supreme Court of the United States abound with admiralty appeals in cases of this kind, during the French War, the British owners trying to recover their vessels captured by American privateers sailing under a French flag. They very seldom succeeded, however.

In the War of 1812, as we shall see, like the Revolutionary War, Baltimore privateers swarmed the sea in search of British vessels, and the prizes came in thickly, in spite of the fact that the Chesapeake was closely blockaded and its shores constantly ravaged. Sir Peter Parker (Lord Byron's friend) had a large fleet, but he could not prevent the privateers from going out, nor the prize crews from bringing their captures safe to port. The *Rossie*, in forty-five days, took prizes valued at $1,289,000. The next cruise of this vessel, from July to November, yielded $1,500,000. The *Rolla*, in a brief cruise, took seven vessels, one hundred and fifty men and $2,500,000. The *Amelia*, in eighty-five days, took $500,000. The damage done by these vessels to British commerce is hard to exaggerate.

When the South American War of Independence occurred, Baltimore furnished a good many privateers to nearly all the new States. The Commodore of the Columbian navy was a Baltimorean, and our metropolitan city fitted out privateersmen for Venezuela, Chili, Buenos Ayres, Peru and several other States, which preyed both upon Spanish and Portugese commerce. The Portugese Minister, in 1816, complained to President Monroe that twenty-six of these vessels had been fitted out and armed in Baltimore, and in 1819 they were reported to have captured fifty Portugese vessels.

The British in the Revolutionary War, spoke of the Chesapeake as a "nest of pirates," and the Spanish Minister at Washington in 1817, Don Luis de Onis, wrote to Mr. Monroe, that "it is notorious that . . . whole squadrons of pirates have been fitted out from Baltimore and New Orleans."

He complained that the privateer *Swift*, which, sailing under the flag of Buenos Ayres, had just captured the Spanish polacca *Pastora*, "is now in Baltimore River, and her captain, James Barnes, who has so scandalously violated the law of nations, the neutrality of this government and the existing treaty, has had the effrontery to make a regular entry of his vessel at the Custom House of Baltimore, declaring his cargo to consist of bales and packages, containing silks, laces and other valuable articles, all, as you may suppose, plundered from the Spaniards." This reads like some of the letters of Minister Charles Francis Adams, to Earl Russell, in regard to the treatment of the Alabama, in Jamacia, and of the Shenandoah, in Australia. Captain Raphael Semmes (a native of Maryland), in his steamer Alabama, was but a modernized version of Captain Barnes, in his Baltimore schooner *Swift*. Don Luis de Onis, also makes mention of the *Orb*, the *Maria*, the *Paz*, and the *Romp*, all "pirates," sailing out of Baltimore, in search of Spanish commerce and capturing millions of dollars at a time. He is also grieved on account of the misdeeds of "the corsair *Mongore*," the *Portoris*, (alias the *Spartan*), the *Independencia del Sud*, (Commodore James Chaytor), the *Congress*, the *Regent*, the *Republicano*, the *Alerta*, the *Calypso*, the *Clifton*, the *Felix Cubana*, and the *Young Spartan*, all of Baltimore.

It was the acts of these vessels which led to the treaty with Spain in 1829. The improbability of preventing this sort of irregular warfare rested upon two facts: first, the people of Baltimore sympathized very strongly with the rebellious States of South America; and second, the business of privateering was very profitable. For instance, in one of his letters, Don Luis de Onis, writing to John Quincy Adams, Secretary of State, says in regard to the arrival of some privateers at Baltimore, that they had come "for the purpose of conveying to the parties interested at Baltimore, the proceeds of their spoliations on the Spanish commerce, and among others, that of the Phillippine Company's ship *Triton*, to the amount of $1,500,000, captured by the pirate *Independencia del Sud*, and carried to Buenos Ayres, to be sold there."[1]

In consequence of the depredations committed by the American privateers under the French flag, against British commerce in 1794, and the extraordinary pretensions and naval power of the British government, fears of a war were entertained. The President recommended serious preparations for both offence and defence, and Whetstone Point, Baltimore, which the Legislature, at its last session, had placed at the disposal of the government, was fortified at the expense of the citizens of Baltimore, and a Star Fort of brick work added.[2]

[1] Among the most prominent Baltimore commanders of privateers engaged in the South American enterprises were Commodore James Clayton, Thomas Taylor, Joseph Stafford, James Barnes, John Chase, Thomas Boyle, Francis Mason, John D. Daniels, Henry Childs, J. W. Stephen, Captain Huffington, Captain Davey, Captain Fisk, James Rogers, Captain Revilla, Joseph Almeyda, Captain Moore and Captain Watkins.

[2] The ground was afterwards ceded to the United States, and the work called Fort Mc-

In compliance with the Act of Congress and the provisions made by the Legislature, Governor Thomas Sim Lee reorganized the militia of the State, and appointed as major-generals, John E. Howard, John Hoskins Stone and Levin Winder; brigadier-generals for Calvert and Anne Arundel Counties, John Davidson; St. Mary's and Charles, John H. Briscoe; Prince George's and part of Montgomery, Uriah Forrest; part of Montgomery and Frederick, Jeremiah Crabb; Frederick Town, Mountjoy Bailey; Washington and Allegany, Moses Rawlings;[1] Baltimore Town, Samuel Smith; Baltimore County, Charles C. Ridgely; Cecil and Harford, Josias C. Hall; Kent and Queen Anne's, James Lloyd; Dorchester, Caroline and Talbot, John Eccleston; Somerset and Worcester, Alexander Roxburgh.

In this year (1794) some of the western counties of Pennsylvania lifted the arm of defiance against the Federal Government, and acts were committed "to defeat the execution of the laws laying duties upon spirits distilled within the United States. These treasonable measures called for the prompt interference of the executive authority, and hence arose the episode in our history known as "The Whiskey Insurrection." Distillers who resided in Alleghany, Fayette, Washington and Westmoreland Counties, Pennsylvania, who were willing to comply with the excise laws passed by Congress, were abused; mails were robbed, outrages committed on the government revenue officers, and General Neville, the chief inspector of revenue, was twice attacked, and his house burned to the ground by these lawless insurgents.

The government of Maryland watched with interest the efforts of Pennsylvania to suppress this rebellion, and prepared to furnish help if necessary. On the 19th of May, the Secretary of War directed Governor Lee "to organize, arm and equip, according to law, and hold in readiness to march at a moments warning, 5,418 of the militia of the State of Maryland, officers included."

In the meantime, the rebels were making preparations to seize Fort Fayette in that region, and the insurrectionary spirit seemed to be spreading into the adjoining counties of Maryland and Virginia. One Bradford, a native of Maryland, who had assumed, by common assent, the position of commander-in-chief of the insurgents, issued a call for the assembling of the militia on

Henry, in honor of James McHenry, of Maryland, who was Secretary of War under Washington. On the 1st of May, the House of Representatives passed an Act, "That the port and harbor of the city of Annapolis be fortified in such manner, and at such time or times, as the President of the United States may direct."

[1] Moses Rawlings was commissioned on the 1st of July, 1776, lieutenant-colonel of a Maryland rifle regiment. He commanded it at Fort Washington, and, after a brave resistance, was captured on the fall of that fort, 16th November, 1776. At this time, Washington said of him: "I entertain a very high opinion of the merits of Colonel Rawlings and his officers, and have interested myself much in their behalf." His four companies of riflemen were joined to the German battalion, and was afterwards known as the 8th Maryland Regiment. In 1779, he was ordered by Washington to Fort Pitt, and in consequence of the refusal of Washington to permit the German troops to accompany him, in April, 1779, he resigned. Captain Beale took charge of his command at Frederick, and on May 7, 1779, marched with them to Fort Pitt. On September 27, 1779, Colonel Timothy Pickering placed Colonel Rawlings in charge of the prisoners at Frederick, where he remained until the close of the war. He died in Hampshire County, Virginia, in May, 1809.

Braddock's field on the first of August, with arms and accoutrements, and provisions for four days. Within three days seven thousand men assembled, the greater part with the determination to follow Bradford in resistance to the Federal and State governments wherever he might lead.

Mr. Lossing says: "It was Bradford's design to seize Fort Pitt, and its arms and ammunition; but he found most of the militia officers unwilling to co-operate in such an overt act of treason. But they readily consented to the perpetration of outrages against excise officers, and the whole country in that region was governed, for the moment, by the combined powers of mobocracy and military despotism." [1]

Upon the receipt of this intelligence, the President immediately called his cabinet together to take the necessary measures for the preservation of peace and the enforcement of the laws. It was agreed in the cabinet council that forbearance must now end, and the effective power of the government be put forth to suppress the rising rebellion. Accordingly, on the 7th of August, Washington issued a proclamation warning the insurgents to disperse, and declaring that if tranquillity should not be restored in the disturbed counties before the 1st of September, an armed force would be employed to compel submission to the laws. At the same time the President made a requisition on the Governors of Maryland, Virginia, Pennsylvania and New Jersey for militia sufficient to compose an army of twelve thousand men. This number was subsequently increased to fifteen thousand.

The troops of New Jersey and Pennsylvania were directed to rendezvous at Bedford, and those of Maryland and Virginia at Cumberland. The command of the expedition was conferred by Washington on Governor Richard Henry Lee, or "Light Horse Harry," as he is sometimes called, of Virginia. Governor Mifflin, of Pennsylvania, Governor Howell, of New Jersey, commanded the militia of their respective Sates. General Daniel Morgan commanded the militia of Virginia, and General Samuel Smith, the hero of Fort Mifflin in 1777, and at this time the able representative of Baltimore in Congress, commanded those of Maryland. General Smith took command on the 17th of August, 1794, and immediately proceeded to organize his force. Volunteers flocked to Baltimore from all portions of the State to await marching orders to the seat of war. In the meantime a company was raised in the town by Captain Mackenheimer, called "The First Baltimore Light Infantry," also one by Captain Stricker, called the "Independent Company;" "Mechanical Company," by Captain Coulson; "Baltimore Sans Culottes," Captain James A. Buchanan; a rifle company by Captain Jessup; "The First Baltimore Battalion," Major Lowry; a company of grenadiers by Captain Hugh Thompson; a company of light infantry by Captain William Robb; a troop of horse by Captain John Bowen, and another by Captain Ruxton Moore.

Messrs. Daniel Cresap, John Lynn and Gabriel Jacob, in a letter to Governor Lee, dated Cumberland, September 2d, 1784, said:

[1] *Washington and the American Republic*, iii., p. 311.

"We are very sorry to add, but we conceive it our indispensible duty to inform your Excellency that the spirit of insurrection is not confined to the western counties of Pennsylvania; those to the eastward of the Allegany mountains are infected with the contagion; and unless speedily prevented, may rise to a formidable height, and, perhaps, end in our destruction. Cumberland hath been threatened, an attempt hath been made there to raise a liberty-pole (which is the insignia or badge by which the insurgents are now discriminated) but by the exertions of the most respectable citizens it was prevented. In other parts of the country they have succeeded. The papers of the excise officer have been demanded. We are threatened with the Pennsylvanians, whom, the disaffected here say, they will call to their assistance, should it take place. God only knows what will be the event; however, let the event be what it may, our exertions, friended, we trust, by the most respectable of the county, will not be wanting. In our situation, we think it our duty to request of you to forward to us arms and accoutrements, these we will distribute amongst the men in whom we may confide. Those who are willing to support the measures of government have it not in their power. Should you be able to obtain the approbation of council, you will please forward us two hundred stand of arms, and order to our protection a small detachment of militia, consisting of cavalry and infantry, to be selected from those counties which are well-disposed to the laws of the Union, and particularly the Excise law. We hope the example of Baltimore Town will sanction the transmitting of public arms, and that your conduct will, on this occasion, as it then did, meet with the approbation of the Legislature."

On the 6th of September, Secretary Hamilton wrote to Governor Lee:

"*War Department, September 6th, 1794.*

"SIR:—I am directed by the President to notice to your Excellency that information has been received that some riotous proceedings have taken place in the upper part of Baltimore County, and in the neighborhood of Hagerstown, connected with the insurrection in the western counties of Pennsylvania.

"He instructs me to observe that it appears to him of the highest importance that efficacious measures should be pursued to suppress the first beginnings of this spirit in your State, and thereby to check the progress of an evil which radically threatens the order, peace and tranquillity of the country. Much depends, in such a crisis as the present, on an early display of energy, under the guidance of the legal precaution.

"It is understood that the magazines of arms of the State, is at Frederick. Adequate means no doubt will be used to prevent the possibility of these falling into bad hands.

"With great respect, I have the honor to be your

"Excellency's most obedient and humble servant,

"A. HAMILTON.

"His Excellency Thomas S. Lee, Esq., Governor of Maryland."

Again on the 15th of September, Hamilton wrote to Governor Lee, that

"It is the President's desire, that no time should be lost in uniting the whole of the militia of Maryland at Fort Cumberland. If the commanding officer has not already taken the field, it is desirable that he should do it without delay, in order to combine, arrange and accelerate the ulterior movements."

On September 15th, the governor sent by express a requisition for Baltimore troops, in consequence of a report that the insurgents, had assembled in considerable numbers near Cumberland, with the intention of marching to Frederick to seize the State arms deposited in the arsenal. The order reached Baltimore on Sunday, while the people were at their several places of

Upon the return of the Maryland troops, General Lee acknowledged their services in the following letter to the governor:

Head Quarters, Nov. 26th, 1794.

SIR:—The period having arrived when the army entrusted to my direction by the President of the United States, having accomplished the object of their advance into this country, are about to return home, I should commit violence on my own feelings were I not to express to your Excellency my very high ideas of their merit. Suddenly brought into the field, they were unprepared for the hardships which they encountered. Nevertheless disregarding the distress to which they were consequently in a greater degree exposed, they continued to evidence, with firmness and zeal, the purity of the principles by which they were moved, and terminated their campaign in perfect correspondence with the patriotism which impelled them to exchange domestic enjoyments for the toils and privations inseparable from military life. To all is due the tribute of applause which ever attends the faithful and animated discharge of duty; but to one class something more is due. Those inestimable and friendless citizens who fill the ranks seem to have been scarcely noticed in the legal provisions for compensation.

"If the example exhibited by my companions in arms is deemed worthy of attention, I derive great consolation from my hopes that the State Legislature will take into consideration the inequality which at present exists in the pay allowed to the officers and to the soldiers; and so far as respects the faithful army under my orders, will be pleased to manifest their sense of the conduct of the troops, by rendering the pecuniary compensation of the soldier proportionate to that given to the officer. The justice and policy of such interposition are alike evident, and will be peculiarly acceptable.

"Another point, in which both officers and soldiers are interested, claims, in my humble opinion, legislative notice. Although the wise and temperate system adopted by the President of the United States, averted the heaviest of all human calamities, and saved the effusion of blood, yet the sufferings which the army experienced from the extreme severity of the weather have deprived many families of their dearest friend and chief support. To alleviate their miseries, by extending to them, with equity and liberality, the public aid, is the only possible retribution which can be made by the community, and I flatter myself it is only necessary to make known the existence of such cases to secure to the sufferers the requisite legal provision.

"I forbear to gratify my affectionate attachment to my fellow-citizens in arms with me, by yielding to my solicitude for their welfare, and subjoining the many observations which my knowledge of their virtue and sufferings crowds upon my mind, in the confidence that their conduct best bespeaks their worth, and that the General Assembly will take pleasure in manifesting their respect to real merit.

"I have the honor to be, with great respect,

"Your most obedient servant,

"RCH. HY. LEE."

And as a further recognition of their services, the General Assembly, on the 24th of December, 1794—

"*Resolved, unanimously*, That the thanks of this legislature be given to the officers and privates of the militia of this State, who, on the late call of the President, rallied round the standard of the laws, and in the prompt and severe services which they encountered bore the most illustrious testimony to the value of the Constitution and the blessings of internal peace and order; and that the Governor be requested to communicate the above vote of thanks, in such manner as he may judge most acceptable, to the patriotic citizens who are its objects."

On the 5th of February, 1794, Governor Lee issued a proclamation that he had—

"Lately caused to be made of silver, a great seal dependent with certain devices, and with the words, 'Great Seal of the State of Maryland,' inscribed on one side thereof, and the words, 'Industry the Means, and Plenty the Result,' on the other, which he said should be 'kept and used as the great seal of this State.'"

The French and English governments were now at war, and the transfer of a large portion of the laboring population of the former from their usual avocations to the military service, added to other causes, produced a scarcity of provisions in France. Induced by this state of things France opened her ports to neutral commerce, while great Britain, in the hope of reducing her enemy by famine, determined to cut off all external supplies. Instructions were accordingly issued on the 8th of June, 1793, and renewed on the 6th of Novem-

RESIDENCE OF JUDGE CHASE.

ber, 1794, by the British privy council to the commanders of British ships of war and privateers, directing them "to stop and detain all ships laden with goods, the produce of any colony belonging to France, or carrying provisions or other supplies for the use of such colonies, and to bring the same, with their cargoes, to legal adjudication in our courts of admiralty."

This order in council, which was a most lawless invasion of neutral rights, in a few weeks swept the seas of our commerce. Hundreds of our vessels engaged in the French West India trade, were without previous notice, captured and many of our merchants were reduced to bankruptcy. The intelligence of this procedure excited universal indignation throughout the United States. There was a general clamor for war among all parties. Several violent measures were moved and debated in Congress—among the rest, the sequestration of all British property in the United States, for the purpose of indemnifying our merchants.

On the 28th of March, 1794, the President announced a general embargo for thirty days. At the expiration of the time, Captain Ramsdell and a ship-carpenter named Sentorn, residing at Fell's Point, Baltimore, insulted the American flag by hoisting it at half-mast. This act raised some excitement of popular indignation, and occasioned a disgraceful riot, in which the two men were tarred and feathered in the street. In 1786, Judge Chase removed from Annapolis to Baltimore. The greatest inducement, was the presentation to him by his friend Colonel John Eager Howard, the square of ground bounded by Eutaw, Lexington, Fayette and Paca streets. Mr. Chase afterwards built on it near the southwest corner of Lexington and Eutaw streets, the house of his permanent abode, where he lived and died. Judge Chase, on the occasion of the riot, took a stand highly honorable to his firmness and resolute determination to assert the supremacy of the law. Holding at this time, the office of chief judge of the criminal court, he took measures for an investigation of the outrage, and caused David Stodder, a ship-builder and captain of a militia company of artillery, and Captain William Reeves, two gentlemen of very respectable standing, and great popularity with the ruling party, to be arrested as ring-leaders of the riot.

The court-room was crowded with many who had taken active parts in the riot, and hundreds of the same character were about the court-house, with drums and fifes, and with colors flying. The persons arrested, refused to give security to the judge to appear at the next court. "Then," said the judge, "you must go to jail." Mr. Robert Oliver and John Smith, two of the most opulent citizens, proposed themselves as surety to Mr. Stodder, but the prisoner refused permitting it, when the judge ordered the sheriff to take him to prison. The sheriff replied that he could not take him; the judge then told him to smmmon the *posse comitatus* to his assistance; it was answered, he could get no one to serve—the judge then said, "summon me, sir, I will be the *posse comitatus*, I will take him to jail." A number of influential gentlemen then addressed the judge, advising him to pass over the affair, and intimating to him that they apprehended his life and property were in danger. "God forbid," was the emphatic reply of the judge, "that my countrymen should ever be guilty of so daring an outrage; but, sir, with the blessing of God, I will do my duty—they may destroy my property, they may pull down my house from over my head; yea, they may make a widow of my wife, and my children fatherless—the life of one man is of little consequence compared to the prostration of the laws of the land; with the blessing of God, I will do my duty, be the consequences what they may." He gave the parties time to reflect upon the importance and propriety of yielding, and appointed the next day, May 4th, to meet them. It was observed that the morrow would be Sunday—"No better day," replied Judge Chase, to execute the laws of our country, I will meet you here, and then repair to the house of my God!" Not obtaining security for their appearance on Sunday, he sent an express to the governor and council on that day, calling for the support of the State, as the

militia of the town were disaffected and refused to obey their commanding officers. On Monday he was waited on by Messrs. O'Donnell, Oliver, Smith and several others of the most wealthy and respectable citizens of Baltimore, to request him to desist, and give up the point of compelling the prisoners to join in with the surities to appear at the next term of court for trial, apprehending serious consequences to the city. He replied to them with great warmth, asked if they meant to insult him by supposing him capable of yielding the law to two obstinate men. They left him, and a few hours after, as the judge was going to court, the persons charged met him in the street and consented to give the security.

When the court met, the grand jury refused to find a bill against the parties accused, and delivered a presentment against Mr. Chase. The presentment comprises two specifice charges. First, of having insulted them by openly censuring the sheriff for having returned so bad a jury; and secondly, of having violated the Bill of Rights by accepting and executing at the same time two different offices—a Chief Judge of the Criminal Court and Chief Judge of the General Court of the State.

The reply of Judge Chase was marked by temperate moderation and firmness. He gently reminded them how much they had gone beyond the proper sphere of their duties, in meddling with such subjects as the holding of two offices and justified his censure of the sheriff as well founded, to the extent that he had actually uttered it. In conclusion of this reply he told the jury, "you will, gentlemen, continue to do your duty, and I shall persevere in mine; and you may be assured that no mistaken opinion of yours, or resentment against me, will prevent my having respect for you *as a body.*" In the succeeding December, his holding the two-fold judicial station, became the subject of a debate in the House of Delegates, and an attempt was made to procure his removal from judgship of the General Court. The attempt did not succeed; but although the vote was forty-one to twenty, in his favor, on the question of removal, yet a majority concurred in the resolution that the constitution was infringed by the simultaneous tenure of the two offices.[1]

While Congress was engaged in debating on various modes of procuring redress, from the outrages committed on American commerce by the English and French nations, President Washington arrested its career by the appointment of Chief Justice John Jay, of New York, as minister extraordinary to seek redress from the British government. He embarked from New York on the 12th of May, 1794, and on the 19th of May, 1795, he concluded a treaty with Lord Grenville in London which was submitted to their respective governments for ratification.

This celebrated treaty which bears Minister Jay's name was defective in many parts and very objectionable in others; but owing to the troubled state of Europe, it was the best that he could obtain. The ratification

[1] *Biography of the Signers*, ix., p. 336.

of it disturbed the political atmosphere, to such an extent that it shook the Union to its foundation and produced intense excitement throughout the country. Public meetings were held in all sections to make formal protests against it. At the meeting held in Baltimore, at the court-house, on the 27th of July, a committee was appointed to address the president adversely to its ratification. In reply he referred them to his answer to the selectmen of Boston, and his address to the citizens of Baltimore, on his first election to the presidency.[1] While these meetings were occurring in the principal cities, the champions of the treaty and government rallied to its support. In the midst of all this storm Washington, who had not escaped the fiercest virtuperation from party hate, remained calm and ratified the treaty. While the public discussions were at their greatest height, he was called upon to fill two vacancies in his cabinet, occasioned by the resignation of ——— Randolph, his secretary of state, and the death of Bradford, his attorney-general. In his endeavors to fill Randolph's place, he found some difficulty, for, "in the appointment of the great officers of government," Washington wrote to Colonel Carrington in October, 1795, "my aim has been to combine geographical situation, and sometimes other considerations, with abilities and fitness of *known* character." In pursuance of this object he wrote to Thomas Johnson the following "private" letter:

"*Philadelphia, 24th August, 1795.*

"My Dear Sir:

The office of Secretary of State is vacant, occasioned by the resignation of Mr. Randolph. Will you accept it? You know my wishes of old to bring you into the administration. Where then, is the necessity of repeating them? No time more than the present ever required the aid of your abilities, nor of the old and approved talents of the country. To have yours would be pleasing to me, and I verily believe would be agreeable also to the community at large. It is with you to decide . . . with sincere esteem and regard, I am etc.

"G. WASHINGTON."[2]

To this letter Mr. Johnson replied:

"I feel real concerned that my circumstances will not permit me to fill the important office you propose to me. I am far from being out of humor with the world on my own account. It has done me more than justice in estimating my abilities, and more justice than common in conjecturing my motives. I feel nothing I fear, either in hazarding again the little reputation I may have acquired, for I am not conscious of having sought or despised applause; but, without affectation, I do not think I could do credit to the office of Secretary. I cannot persuade myself that I possess the necessary qualifications for it, and I am sure I am too old to expect improvement. My strength declines, and so too will probably my mental powers soon. My views in this world have been for some time bounded chiefly to my children. They yet for a little while may have me to lean on. Being constantly with them adds to their happiness, and makes my chief comfort."[3]

Washington had offered the place successively to Judge Patterson, of New Jersey; Thomas Johnson, of Maryland; Charles Cotesworth Pinckney, of

[1] See *Chronicles of Baltimore*, pp. 253-278.
[2] Sparks, xi., p. 61.
[3] *Ibid.*, xi., p. 60.

South Carolina; and Patrick Henry, of Virginia. After considerable delay, he wrote the following "private" letter to Colonel John Eager Howard, the hero of the Cowpens:

"*Philadelphia, 16th November, 1795.*

"Dear Sir:

"It may seem strange to those not acquainted with circumstances, that the office of State should be so long vacant, but causes not within my power to control have occasioned it. I have at length proposed to Colonel Pickering, to go from the War Office, into that of State, and he has agreed to do so. This of course, makes a vacancy in the former. Permit me to ask you, sir, to fill it.

"I shall use no other arguments to induce your acceptance, than such as candor dictates. These are, that I believe the duties of the office will be well executed by you, that I conceive the appointment will be very agreeable to the public, and, though of less consideration in a national point of view, because it would be very agreeable to, dear sir," etc.[1]

Colonel Howard replied as follows:

"*Annapolis, November 22d, 1795.*

"Sir:

"I had the honor yesterday in Baltimore to receive from General Lee, your letter by him, and, being obliged to return immediately to this place, I could not answer it by the mail which left Baltimore this morning. This mark of your confidence has made so deep an impression on my mind, that I should not hesitate to comply with your wish, could it be done without making sacrifices, that I am persuaded you would not think advisable; and I assure you, that, although such an appointment was unexpected, I should not be induced by less important considerations to decline accepting it.

"My constitution was so much impaired during the war, that for several years the effects were sensibly felt; and I have attributed the good share of health that I have for some years enjoyed, entirely to my present pursuits, which require constant exercise. The business, which I am engaged in here, will not admit of that constant exercise; and I am at times so much affected by it, as to fear I shall be obliged to resign my seat in the Legislature. To abandon my present domestic arrangements for the comfort and education of a growing family deserves some consideration; but that circumstance alone would not influence me so far as to withhold, in the present situation of affairs, any service I might be thought capable of rendering the public. It is with regret that I am compelled to decline accepting so honorable an appointment; but I have some consolation in believing it will be in my power, at this crisis of affairs, to be of service to my country in my present station; and I trust that our Legislature will shortly give decided proofs of their attachment to the true interests of their country."[2]

In accordance with the wishes of Colonel Howard, the Legislature did on the 25th of November, 1795, "give decided proofs of their attachment to the true interests of their country" by denouncing the assaults on the President, in the following declaration:

"The General Assembly of Maryland, impressed with the liveliest sense of the importance and disinterested services rendered to his country by the President of the United States; convinced that the prosperity of every free government is promoted by the existence of rational confidence between the people and their trustees, and is injured by misplaced suspicion and ill-founded jealousy; considering that public virtue receives its best reward in the approving voice of a grateful people, and that when this reward is

[1] Sparks, xi., p. 93.

[2] Sparks, xi., p. 94.

denied to it the noblest incentive to great and honorable actions, to generous zeal and magnanimous perseverance, is destroyed; observing, with deep concern, a series of effects, by indirect insinuation or open invective, to detach from the first magistrate of the union the well-earned confidence of his fellow-citizens, think it their duty to declare and they do hereby declare, their unabated reliance on the integrity, judgment and patriotism of the President of the United States." [1]

This declaration was forwarded to the President by Colonel Howard on the day after its passage, and the President, in his letter of acknowledgment of the 30th of November, says, that he received it—

"Assuredly with pleasure; for, while I am resolved that no misrepresentations, falsehoods or calumny shall make me swerve from what I conceive to be the strict line of my duty, and while I have suffered the various attempts to destroy all confidence in my administration to pass without notice, it is grateful to my feelings to find so respectable a body as the Legislature of Maryland appreciating my motives at the expense of my calumniators. Had your inclination and private pursuits permitted you to accept the office that was offered to you, it would have been a very pleasing circumstance to me, and I am persuaded, as I observed to you on a former occasion, a very acceptable one to the public; but the reasons which you have assigned for not doing it carry conviction along with them, and must, however reluctantly, be submitted to." [2]

In another letter addressed to Governor John H. Stone, he says:

"*Philadelphia, 6 December, 1795.*

"Dear Sir:

"By Thursday's post I was favored with your letter of the 27th ultimo, enclosing a Declaration of the General Assembly of Maryland. At any time the expression of such a sentiment would have been considered as highly honorable and flattering. At the present, when the voice of malignity is so high-toned, and no attempts are left unessayed to destroy all confidence in the constituted authorities of this couniry, it is peculiarly grateful to my sensibility; and, coming spontaneously, and with the unanimity it has done from so respectable a representation of the people, it adds weight as well as pleasure to the act.

"I have long since resolved, for the present time at least, to let my calumniators proceed without any notice being taken of their invectives by myself or by any others with my participation or knowledge. Their views I dare say are readily perceived by all the enlightened and well-disposed part of the community; and by the records of my administration, and not by the voice of faction, I expect to be acquitted or condemned hereafter." [3]

The office of Secretary of War being still vacant, Washington now tendered the position to his friend and private secretary during the Revolution, Dr. James McHenry, of Baltimore, in the following letter:

"*Philadelphia, 20th January, 1796.*

"My Dear Sir:

"Let this letter be received with the same friendship and frankness with which it is written. Nothing would add more to the satisfaction this would give me, than your acceptance of the offer I am going to make. Without further preface, then, will

[1] Mr. James McHenry, in a letter dated December 5, giving an account of the passage of this resolution to the President, wrote: "Mr. William Pinkney, a man of real talents and genius, and a fascinating speaker, took charge of the Declaration. He originated it in the House, and supported it beautifully and irresistibly. His influence and conduct on the occasion overawed some restless spirits, and reached even into the Senate."

[2] Sparks, xi., p. 96.

[3] *Ibid.*, xi., p. 97.

you suffer me to nominate you to the office of Secretary of War? That I may give evidence of the candor I have professed, above, I shall inform you that, for particular reasons, more fit for an oral than a written communication, this office has been offered to General Pinckney, of South Carolina, Colonel Carrington, of Virginia, and Governor Howard, of Maryland, and that it would give me sincere pleasure if you would fill it. After making this declaration, I can press you no farther; but I press for an immediate answer, as the public service is suffering much for want of a head to the Department of War. If you consent to this nomination, prepare to come on as soon as it is made, for the reason just mentioned; although, at this season of the year, and in the present state of the roads, you should not find it convenient to bring Mrs. McHenry and your family along with you. Sound, I pray you, and let me know without delay, if Mr. Samuel Chase would accept a seat on the Supreme Judicial Bench of the United States, made vacant by the resignation of Mr. Blair. If his decision is in the affimative, he will at once perceive the necessity of being here, if possible, by the first Monday in the next month, at which time that court is to sit in this city. Although these subjects are both of an interesting nature, I will add no more on them at present, but assure you of the sincere friendship and affectionate regard of, etc., "GEORGE WASHINGTON."

Dr. McHenry accepted the appointment, and Samuel Chase, who had been Chief Judge of the General Court of Maryland, from the 7th of October, 1791, resigned that position and accepted that tendered by the President. He was confirmed on the 27th of January, and Robert Goldsborough was, on the 2d of April, 1796, appointed to fill the vacancy on the Maryland bench.

At the close, on June 1st, 1796, of the exciting session of Congress, in which Jay's treaty had been the chief topic of debate, Washington retired for partial repose, to his home at Mount Vernon. While there he determined to leave public life at the close of his term of office, in March following; and with this object in view, he carefully prepared his "Farewell Address to the people of the United States," to be published in time to enable them to choose his successor, at the appointed season. As this hour was drawing near, the President's enemies did everything in their power to prejudice him in the public mind. His most intimate friends knew that he would not consent to a re-election; but his reserve on that subject and the long delay in making public announcement of his determination, puzzled the politicians. However, while political and partisan abuse, of the grossest kind, was being heaped upon the head of the President, his *Farewell Address* appeared. It was made public about the middle of September, 1796, and produced a great sensation throughout the country. For a time the ribald voice of party spirit was subdued in tone, as Washington's re-nomination was a convenient excuse for attacks upon his character. In every part of the Union, sentiments of veneration for the author were manifested.[1]

On the 13th of December, the General Assembly of Maryland directed the address to be entered at large upon their journal, and that it be printed and published with the laws of this session, with the following resolutions:

[1] Lossing's *Washington and the American Republic*, iii.

"*Resolved, unanimously*, That the President of the United States merits the everlasting gratitude of the people; that his profound wisdom in council and eminent exertions in the field, aided by the virtue and valor of his fellow citizens, triumphed over British invasion, and led his country through an arduous war to victory and to happiness, establishing its independence by a revolution unsullied with a crime, and distinguished for moderation, virtue and humanity; that his wise and steady administration of the general government, promptness in suppressing domestic insurrection, firmness in defeating improper exertions of foreign influence and perseverance in the system of neutrality, have continued to us those advantages which result from a stable and free government, and have crowned us with the blessings of peace, liberty and prosperity, whilst Europe and the Indies have been convulsed with the horrors of a dreadful and desolating war.

"*Resolved, unanimously*, That his late paternal address, the result of much reflection and experience, is eminently calculated, by its counsels, to secure the continuance of the independence, peace, happiness and prosperity of our country, if steadily pursued by his successors, and firmly adhered to by the people; wisely founding the principles of our political conduct on the immovable basis of morality and justice, aided by the influence of religion, learning and virtue, in private life.

"*Resolved, unanimously*, That to perpetuate this valuable present in the most striking view to posterity, it be printed and published with the laws of this session, as an evidence of our approbation of its political axioms, and a small testimony of the affection we bear to the precepts of him to whom, under Divine Providence, we are principally indebted for our greatest political blessings.

"*Resolved, unanimously*, That it is the earnest prayer of the Legislature of Maryland, that the President, in his contemplated retirement, may find all the blessings of domestic happiness, and live to experience the salutary principles of his administration, operating through his successors, to increase the independence, prosperity and welfare of the American people."

In a letter dated Annapolis, December 16th, communicating to the President the resolutions of the Legislature, Governor Stone said:

"I consider it the most agreeable and honorable circumstance of my life, that, during my administering the government of Maryland, I should have been twice gratified in communicating to you the unanimous and unreserved approbation of my countrymen of your public conduct, as well as their gratitude for your eminent services. As this will probably be the last time that this pleasing duty will devolve on me, I beg permission most cordially to join my countrymen in those sentiments, which are expressed with such sincerity."

President Washington answered Governor Stone's letter as follows:

"*Philadelphia, 23d of December, 1796.*

"Dear Sir:

"Yesterday I received your letter of the 16th instant, covering the resolutions of the Senate and House of Delegates of the State of Maryland, passed on the 13th and 14th. The very obliging and friendly terms, in which you have made this communication, merits my sincere thanks.

"The manner in which the two branches of the Legislature of Maryland have expressed their sense of my services, is too honorable and too affectionate ever to be forgotten. Without assigning to my exertions the extensive influence they are pleased to ascribe to them, I may with great truth say, that the excercise of every faculty I possessed was joined to the efforts of the virtue, talents, and valor of my fellow-citizens to effect our independence; and I concur with the Legislature in repeating with pride and joy

what will be an everlasting honor to our country, that our Revolution was so distinguished for moderation, virtue, and humanity, as to merit the eulogium they have pronounced, of being unsullied with a crime.

"With the same entire devotion to my country, every act of my civil administration has been aimed to secure to it the advantages, which result from a stable and free government; and, with gratitude to Heaven, I unite with the Legislature of Maryland in the pleasing reflection, that our country has continued to feel the blessings of peace, liberty and prosperity, whilst Europe and the Indies have been convulsed with the horrors of a dreadful and desolating war. My ardent prayers are offered, that those afflicted regions may now speedily see their calamities terminated, and also feel the blessings of returning peace. I cannot omit my acknowledgments to the Senate and House of Delegates for the manner in which they have noticed my late address to my fellow-citizens. This notice, with similar acts in other States, leads me to hope that the advice, which therein I took the liberty to offer as the result of much experience and reflection may produce some good. Their kind wishes for my domestic happiness, in my contemplated retirement, are entitled to my cordial thanks. If it shall please God to prolong a life already far advanced into the vale of years, no attending felicity can equal that, which I shall feel in seeing the administration of our government operating to preserve the independence, prosperity and welfare of the American people. With great respect and consideration, I am, dear sir," etc.[1]

GOV. JOHN H. STONE.

At the opening of the session of Assembly of this year, on the 16th of November, Governor Stone introduced the present custom of sending to the General Assembly a message recommending at the opening of each session, such measures as required their action. The Senate and House of Delegates were pleased with the idea, and in a message to the governor said:

"Although not sanctioned by precedent, or enjoined by the Constitution, such communications have certainly their use, and we wish that future governors may follow the laudable example, whenever they may deem it expedient to submit to the Legislature such matters as they shall judge deserving its attention."

At the instance of Governor Stone, the law passed by the General Assembly on the 24th of December, 1795, "to alter the mode of electing electors to choose the President and Vice President of the United States," the State was divided into ten districts, and one elector was to be chosen from each district. At the election held on the second Wednesday of November in the following year, John Rousby Plater, Francis Deakins, George Murdock, John Lynn, Gabriel Duvall,[2] John Archer,[3] John Gilpin, John Roberts, John Eccleston

[1] Sparks, xi., p. 176.

[2] Gabriel Duvall was born in Prince George's county, December 6th, 1752, and died there March 6th, 1844. He was clerk to the House of Delegates, previous to the Declaration of Independence, and member of Congress in 1794-5, and Comptroller of the United States Treasury from 1802 to November 18th, 1811. He was then appointed a judge of the United States Supreme Court, which office he held until 1836.

[3] John Archer, the son of Thomas Archer, was born in Harford County, May 5th, (O. S.) 1741, and received a rudimentary education at Nottingham Academy, in Cecil county. In 1760 he took the degree of A. B. at Nassau Hall, and three years later that of A. M. He then studied theology and entered the ministry of the Presbyterian church. On account of a throat affection he abandoned the pulpit and turned his attention to medicine. In 1765 he commenced a course of study at the Philadelphia Medical College, and on July 21st, 1768, received his diploma in the first graduating medical class in America. He commenced the practice of med-

and John Done[1] were chosen electors. In accordance with the Constitution they met in Annapolis and cast the electoral vote of the State as follows: For John Adams, the incumbent vice-president, seven votes; Thomas Pinckney, of South Carolina, four votes; Thomas Jefferson, of Virginia, four votes; Aaron Burr, of New York, three votes, and John Henry,[2] of Maryland, two votes. The votes of the Electoral College for President of the United States were opened and counted in the United States Senate on the 8th of February, and out of one hundred and forty votes cast—seventy making a choice—John Adams received seventy-one and Thomas Jefferson sixty-eight votes. According to the Constitution at this time the person who received the highest number of electoral votes was declared to be President, and the person who had the next highest number was declared to be Vice President.

John Adams was inaugurated as President on the 4th of March, 1797, and on the 9th of the same month Washington, accompanied by Mrs. Washington, her grand-daughter Eleanor Parke Custis, and the son of Lafayette, left Philadelphia a private citizen and a happy man. On his arrival in Baltimore "he was met by a crowd of citizens, on horse and foot, who thronged the road to greet him, and by a detachment from Captain Hollingsworth's troop, who escorted him through as great a concourse of people as Baltimore ever witnessed. On alighting at the Fountain Inn, the General was saluted with reiterated and thundering huzzas from the spectators." He left the town on the 13th.

Washington did not remain long in retirement, for on the second of July, 1798, owing to the attempts of the French Directory to degrade the United States into a tributary of France,[3] the indignities offered to the representatives of our government, and the injuries inflicted upon our commerce, President

icine at the place of his nativity. At the commencement of the Revolution he was appointed one of the "Committee of Observation" for Harford county and commanded a military company. He was a member of the Convention which framed and adopted the first Constitution and Bill of Rights of the State, and in 1796 was a Presidential elector, and from 1801 to 1807 was a representative in Congress from Maryland. He died September 28th, 1810, in the 70th year of his age. His youngest son, Stevenson Archer, was born in Harford county October 11th, 1786, and graduated at Princeton in 1805. He studied law and in 1809 and 1810 was elected to the Legislature. He was a representative in Congress from Maryland from 1811 to 1817, when he was appointed Judge of Mississippi Territory. He resigned within a year, and in 1819 was again elected to Congress. In 1844 he was appointed Chief Justice of Maryland, which office he held until his death, June 26th, 1848. His son, the Hon. Stevenson Archer, represented the Second Congressional District in Congress four consecutive terms.

[1] Hon. John Done died October 9th, 1831, in the 84th year of his age.

[2] John Henry was born in Maryland, and died at Easton in December, 1798. He graduated at Princeton in 1769, and was a member of Congress in 1778-81 and 1784-7, and United States Senator 1789-97, and Governor in 1797-8. He descended from Rev. John Henry, a Presbyterian minister, who died in Maryland in 1717, leaving two sons—Robert Jenkins Henry, one of Lord Baltimore's Council, and provincial magistrate and one of the judges of the assize for the Eastern Shore. He resided in Somerset County, and died in October, 1766. The other son, Colonel John Henry, was a member of the House of Delegates from Worcester county.

[3] At one of the interviews between Pinckney, Gerry and Marshall, the three United States envoys, and Talleyrand, the French Minister of Foreign Affairs, when the latter intimated that the payment of $250,000 would secure the recognition of the envoys and the settlement of all matters in dispute, Pinckney made the terse and indignant remark (which has become proverbial), "Millions for defence, but not one cent for tribute."

Adams nominated and the Senate confirmed him as "lieutenant-general and commander-in-chief of all the armies raised and to be raised in the United States." James McHenry, his old friend and secretary of war, a few days afterwards carried him his commission, which under the circumstances he accepted. At the same time, Congress ordered the army to be increased by twelve regiments, four of which were to be raised in Maryland. In the selection of officers, much was left to the discretion of Washington, who made choice of Col. John Eager Howard as one of his first brigadier-generals. He, afterwards in a letter to the secretary of war, dated 13th August, 1798, said

ANNAPOLIS IN 1797.

"It is much to be wished, that Maryland could furnish a good character for adjutant-general. It is a respectable State, well-affected, and gives not, that I see, an officer of any consequence to the army." [1]

In the meantime, the citizens of Annapolis, in August, appointed Mr. John Davidson, John Shaw, John Gassaway, James Williams and Samuel Godman a committee to collect subscriptions for the purpose of erecting a battery and mounting a number of cannon. They succeeded in collecting "a liberal and adequate sum for the purpose." And at a public meeting, held by the merchants of Baltimore at the Exchange, on the 16th of June, they

"*Resolved*, That a committee be appointed to receive subscriptions for the purpose of building and equipping two sloops of war, to be offered to the government of the United States; and that the committee consist of the following gentlemen: Robert Oliver, David Stewart, George Sears, John Stricker, James Barry.

[1] Colonel Howard declined the appointment, owing to his bad health, and he and General Lloyd were afterwards requested to make "a selection of persons for officering the eventual army from Maryland," which they also declined, much to the regret of Washington.—Sparks, xi., pp. 290-446.

"*Resolved*, That as soon as $30,000 shall be subscribed, the committee shall call the subscribers together for the purpose of completing the objects of the meeting."

Before the meeting adjourned the sum of $40,300 was subscribed by the merchants present, and they proceeded immediately to procure the two vessels mentioned.[1]

The difficulties, however, with France, were arranged in a manner satisfactory to both governments. On account of the firmness displayed by President Adams towards the French Directory, public meetings were held in all sections of Maryland, and addresses adopted approving his administration. And on the 14th of December, the General Assembly presented one of similar tenor on behalf of the State, to which Mr. Adams in his answer said:

"There is no State in this Union whose public affairs upon all great national occasions have been conducted with more method, wisdom, and decision, or whose results have been the effect of a more comprehensive and profound view of the subject, than those of the State of Maryland, and I cannot receive the assurance of your entire and cordial approbation of the measures of my administration, without a singular sensation of pride and pleasure."

By an Act of Congress passed on the 7th of August, 1789, the War Department had also the superintendence of naval affairs; but in April of this year (1798) a Navy Department was established. George Cabot, of Massachusetts, was on the 3d of May appointed the first secretary but he declined, and Benjamin Stoddert, of Maryland, received the appointment on the 21st of the month.

The General Assembly of Maryland was in session at Annapolis when intelligence of the death of General Washington reached that city on the 15th of December, 1799. This announcement produced a profound sensation, and on the 17th that body passed the following resolutions:

"*Resolved, unanimously*, That a message from the Legislature be communicated to the Governor, requesting him to appoint by proclamation a day of mourning, humiliation and prayer, throughout the State, and to recommend it to the citizens thereof to assemble in their respective places of worship, to testify in the most public manner their veneration for his memory and to derive the best motives for the imitation of his virtues.

"*The General Assembly of Maryland*, feeling the most undissembled sorrow for the irreparable loss of the illustrious Washington, and anxious to pay every tribute of respect to the memory of the departed friend to his country, do resolve unanimously, that there be immediately furnished a scarf and hatband for the Governor, the President of the Senate, and each of the attending members of the Senate, the Speaker and each of the attending members of the House of Delegates, the members of the Council, each of the officers and clerks attached to the Senate and House of Delegates, the Chancellor and such of the Judges of the General Court, and all other officers of the State and general governments as are now in the city of Annapolis, to be worn during the session as the external mark of their unfeigned grief.

"A. VAN HORN, *Clerk, Senate.*
"W. HARWOOD, *Clerk, House Delegates.*"

[1] "They commenced building two sloops of war, which were afterwards named the *Maryland* and *Chesapeake*. They were launched in the following year. The merchants also fitted out three armed privateers of twenty guns each."—*Chronicles of Baltimore*, pp 284-287.

In accordance with the above resolutions Gov. Benjamin Ogle issued his proclamation on the 18th day of December, recommending—

"That the 11th day of February next be observed throughout this State as a day of mourning, humiliation and prayer for the deceased—that the citizens on that day go into mourning and abstaining, as far as may be, from their secular occupation, devote the time to the sacred duties of religion—that they call to mind the virtues, public services, and unshaken patriotism of the deceased, and admiring endeavor to emulate them—that they implore the Most High God to supply his loss by inspiring them with a love of true liberty and pure religion, and by dispensing the blessings of peace and knowledge throughout the land—and that He would grant to the people of this and the United States, that the wisdom and virtues of a Washington may never cease to influence and direct our public councils."

Contrary to the wishes of his cabinet and a number of his friends who had supported his measures so far, President Adams determined to appoint three envoys extraordinary and ministers plenipotentiary to the French Court. His friends regarded this mission as inconsistent with the honor and dignity of the nation, as proposals to treat should come directly from France. However, on the 26th of February, 1799, he nominated to the Senate, Oliver Ellsworth, Chief Justice of the United States, Patrick Henry,[1] of Virginia, and William Vans Murray,[2] of Maryland, formerly Minister to Spain, but now Minister Resident in the Netherlands. When Mr. Pickering, Secretary of State, and Mr. McHenry, Secretary of War, were informed of the nominations which had been made without consulting them, it produced a rupture in the cabinet which was never repaired, and estranged from the President General Hamilton, Gouverneur Morris and a large number of friends. This continued until the spring of 1800, when the President requested Secretaries Pickering and McHenry to resign, which the latter promptly did, but which the former, prefering a formal dismissal, refused to do. This event produced a sensation throughout the country and finally caused the downfall of the Federal party.

As the Presidential election was to take place in the fall of 1800, the political writers of the day vented their spleen against the different candidates. The federalists presented the names of President Adams and Gen. Charles Cotesworth Pinckney, and the democrats or republicans (as they

[1] Mr. Henry declined, and William R. Davie, former Governor of North Carolina, was appointed to fill the vacancy.

[2] William Vans Murray was born in Maryland in 1762, and receiving a classical education he was sent to London, after the Revolution, and studied law in the Temple. He returned to Maryland about 1785 and engaged in the practice of law. He was a member of the Assembly and of Congress in 1791-7, and his name is conspicuous in the legislative annals of that period, few equaling him in eloquence or the other qualifications of a member of a deliberate assembly. Appointed by Washington minister plenipotentiary to the Batavian Republic, he restored the harmony which had been interrupted by the influence of France, and was appointed by President Adams sole envoy extraordinary to the French Republic. Judge Ellsworth and Governor Davie were afterwards associated with him. Mr. Murray assisted in making the convention which was signed at Paris, September 30th, 1800, between America and France. He then returned to his station as minister resident at the Hague, and in December, 1801, to his own country. The observations of Prince Turgot, and Mably, suggested his pamphlet on *The Constitutions and Laws of the United States*, which was much commended. He died December 11th, 1803, at his residence in Dorchester county.

were then called) nominated Thomas Jefferson and Col. Aaron Burr. In Maryland, a violent political contest ensued, in which Philip Barton Key[1] and Jeremiah T. Chase were the principal supporters of Mr. Adams, and Gabriel Duvall, Charles Carroll, Jr., and General Samuel Smith, of Mr. Jefferson.

At the election, Edmund Plowden, P. Francis Deakins, George Murdock, John Gilpin, Martin Kershner, Perry Spencer, Gabriel Duvall, William M. Robertson, Nicholas B. Moore, and Littleton Dennis were chosen electors for president and vice-president, and on the 3d of December, they assembled at Annapolis, and cast their ballots as follows: John Adams, 5; Charles C. Pinckney, 5; Thomas Jefferson, 5; and Aaron Burr, 5. In the Electoral Colleges, Thomas Jefferson and Aaron Burr, the democratic or republican candidates, each received 73 votes; and the federal candidates, John Adams, 65, and Charles C. Pinckney, 64. One vote was given to John Jay. The votes for Jefferson and Burr being equal, the election devolved upon the House of Representatives, a crisis which produced unusual excitement. On Wednesday, the 11th of February, 1801, the balloting began in accordance with the Constitution. The representatives, according to the provision of the Constitution, voted by States. On opening the ballots, it appeared there were eight States for Mr. Jefferson, six for Colonel Burr, and two divided; nine being necessary to an election. The process was repeated, and the same result was announced, through five successive days and nights, and thirty-five ballotings. On the thirty-sixth ballot, Jefferson had ten States, Burr four, and two States voted blanks. The States which voted for Jefferson up to the thirty-sixth ballot, were New York, New Jersey, Pennsylvania, Virginia, North Carolina, Georgia, Kentucky and Tennessee. On the last ballot the opposition gave way apparently from exhaustion. Mr. Lewis B. Morris, of Vermont, withdrew, which enabled his only colleague, Matthew Lyon, to cast the vote of that State for Mr. Jefferson. The four federalists from Maryland, who had hitherto supported Burr, voted blanks, and the other four voted for Jefferson, thus deciding the election.

These seven days of balloting were days of great excitement, and the presence of every member was indispensable. Some of them were infirm or indisposed, and were accommodated with beds or couches.[2]

[1] Philip Barton Key was born in Cecil county in 1765, and subsequent to the Declaration of Independence joined the British army, and in the year 1778 held the commission of Captain in a provincial regiment. At the surrender of Pensacola to the Spaniards, he was made prisoner, and sent to the Havana, whence he went to England on parole, and was not exchanged until the peace of 1783. When the peace took place his corps was disbanded and the officers placed on half pay. In 1785 he returned to Maryland and took a high position as a lawyer. In 1790 he settled in Annapolis, and in 1794 was elected to the General Assembly of Maryland, in which he served several years. He resigned all pretentions to half pay in January, 1806, and in October, 1807, made a formal resignation of his position in the British army. He was a representative in Congress from Maryland from 1807 to 1813, and died at Georgetown, District of Columbia, July 28th, 1815.

[2] The following reminiscence is related by Mrs. S. H. Smith, in Mrs. Hale's *Magazine* of November, 1831: "Mr. N. [Joseph H. Nicholson], one of the representatives from Maryland, had been for some weeks confined to his bed, and was so ill that his life was considered in danger; ill as he was, he insisted on being carried to the Hall of Representatives, in order to give his vote. The physicians absolutely forbid

After the treaty of Paris, the English merchants were anxious to regain the American trade that had been so profitable to them before the war. In this they were also joined by a number of Holland merchants, who established branch houses in Baltimore, with agencies at Annapolis, Upper Marlborough, Chestertown, Bladensburg, Oxford, Elk Ridge Landing and other convenient places on the rivers. In consequence of these efforts, trade in tobacco, corn, wheat and flour—the then staple productions of Maryland—revived to an extent unexampled in the history of the State. During the administration of Adams the commerce of almost the whole world was thrown into the hands of England and the United States, and the exports of the latter reached in 1790 the sum of $90,012,041. This commerce, however, at this period, was the result of the peculiar situation of the affairs of Europe, and not the healthy development of the natural course of events, for after a short period of enjoyment of the trade, we were compelled to relinquish it almost entirely, for a season, to vindicate our rights upon the ocean.

The tobacco and grain trades at a very early period became concentrated at the geographical centre of the United States, which was then Baltimore, and was the foundation of her prosperity and wealth. Her citizens as early as 1784 had made an effort to assert her importance and claims to municipal dignity; but owing to the rivalries of the people of Fell's Point they were unsuccessful. However, in 1796, on the last day of the year the General Assembly, heeding the wants of the citizens, incorporated Baltimore Town, and it became a city, and from this time its population and prosperity rapidly increased.

Independent of our newly acquired political character, circumstances arose in Europe, by which a new and extensive field was presented for our commercial enterprise. The wars consequent upon the French revolution created a demand for our exports, and invited our shipping for the carrying trade of a very considerable portion of Europe. Besides, we not only carried colonial productions to the several parent States, but we also became the purchasers of them in the French, Spanish and Dutch colonies. This created a new era in our commercial history, and many merchants from other States and from Europe settled in Baltimore and engaged in colonial trade. No one was limited to any one branch of trade, for the demand in Europe for foreign merchandise, especially for that of the West Indies and South America, secured to all these cargoes a ready sale, with a great profit, and the same individual was concerned in voyages to Asia, South America, the West Indies and Europe.

such a proceeding; he insisted, and they appealed to his wife, telling her that such a removal, and the consequent excitement, might prove fatal to his life. 'Be it so, then,' said she; 'if my husband must die, let it be at the post of duty—no weakness of mine shall oppose his noble resolution.' Of course, they withdrew their opposition; the patient was carried in a litter to the capitol, where a bed was prepared for him in an anti-room adjoining the Senate Chamber, followed by his heroic wife, where, during the four or five days and nights of balloting, she remained by his side, supporting by various restoratives, but more by her presence, the strength of the feeble and almost expiring invalid, who, with difficulty, traced the name of Jefferson each time the ballot-box was handed to him. Such was the spirit of that day."

Maryland, with a population of 319,728 in 1790, and 349,692 in 1800, and 380,546 in 1810, exported in the aggregate, from the 1st of October, 1790, to the 30th of September, 1791, in amount $2,239,691; for the same period ending in 1792, $2,623,808; for 1793, $3,665,56, and third largest in the United States. In 1794, $5,686,191, and only exceeded by the State of Pennsylvania, which exported $6,643,092. In 1795, $5,811,380; in 1796, $9,201,315; in 1797, $9,811,799; in 1798, the enormous sum of $12,746,190, which was only exceeded by New York of $14,300,892. In 1799, $16,299,609; in 1800, $12,264,331; in 1801, $12,767,530; in 1802, $7,914,225; in 1803, $5,078,062; in 1804, $9,151,939; in 1805, $10,859,480; in 1806, $14,580,905, and in 1807, $14,298,984.

On the 22d of December, 1807, as a retaliation for the British Orders in Council, and Napoleon's Berlin and Milan Decress, an embargo was laid by

BALTIMORE CITY IN 1800.

the Government of the United States on all the vessels in the ports and harbors of the United States which continued in force, until the 1st of March, 1809, by which our commerce was completely suspended, and our export trade after having in the course of sixteen years, from 1790 to 1807, acquired an augmentation of $14,298,984, was, in 1808, reduced to the aggregate of $2,720,106, only $480,418 more than the amount in 1791, the second year after the organization of the government.

Baltimore, which was at this period, the third commercial city in the Union, exported two-thirds of the whole amount sent forward by the State. In the year ending October 1st, 1791, the value of merchandise entered at the custom house for exportation, was $1,690,930; in 1792, $1,782,861; in 1793, $2,092,660; in 1794, $3,456,421; and with the foreign and domestic produce together $5,094,248. In the year ending September 30th, 1798, the foreign and domestic exports amounted to over $12,000,000.

In proportion to the carrying trade, ship-building grew, which has made our celebrated "Baltimore Clippers" famous. These schooners and brigs built on the Chesapeake Bay after the model of what was then known as the "Virginia Pilot Boat," frequently showed a speed under sail that is now seldom attained by the best European steamers, and under experienced and daring masters, they soon became the sovereigns of the West Indian trade, and even of some of the European traffics; so that in the hands of intelligent merchants they were the instruments of extraordinary enterprise and success. No one resource contributed so much to the rise of Baltimore as these swift "skimmers of the seas," and it is strange that there model was for many years unmatched outside the Chesapeake Bay.[1]

The tonnage of Baltimore in 1790 consisted of 27 ships, 1 scow, 31 brigantines, 34 schooners, and 9 sloops: total, 102 vessels, containing 13,564 tons. In the year ending the last day of December, 1797, the shipping amounted to 59,837 tons. According to the first census, taken by the government in 1790, the population of Baltimore Town, of all descriptions, was 13,503; by the census of 1800 it was 26,114, showing that the city had nearly doubled its population in ten years. Its taxable basis which in 1798 was valued at $699,519, increased in ten years to the sum of $2,522,870, while the United States government in the same year assessed the value of this same property at $31,276,-269.

During this period of commercial prosperity we did not pass unobserved in Europe, and it was there conceived that the youngest of civilized nations had advanced too rapidly. Great Britain saw with anxiety that her former colonies had become her most dangerous rivals, and considered it possible that they might outstrip her in foreign commerce. The war which she had declared against France was made the instrument of our attempted degradation; her hostility was exhibited under the form of numerous interdictions, blockades and orders in council; she even intended to make us tributary to her by exacting an enormous transit duty for our domestic productions when they were carried to the ports of other foreign nations. France and Spain soon adopted hostile proceedings, under the titles of *arrêts*, counter-orders and decrees, which they alleged were founded on the principle of retaliation; and at last we had to make choice between the alternatives of abandoning the ocean or taking part in the war.

[1] The success of the yacht *America*, at Cowes, in 1851, built after their model, revolutionized yacht-building in England. The Boston clippers, *Great Republic* and *Flying Cloud*, made three hundred and seventy-four knots in twenty-four hours, or nearly eighteen miles an hour.

CHAPTER XXXIII.

THOMAS JEFFERSON, the third President of the United States, was inaugurated on the 4th of March, 1801. He selected for his cabinet officers, James Madison, Secretary of State; Henry Dearborn, Secretary of War, and Levi Lincoln, Attorney-General. He retained in office for a short time Benjamin Stoddert, of Maryland, Secretary of the Navy, and Samuel Dexter, of Massachusetts, Secretary of the Treasury. In July, after being refused by Chancellor Livingston, Robert Smith, brother of General Samuel Smith, of Baltimore, was appointed Secretary of the Navy, and Benjamin Stoddert, retired.

The seat of government had just been removed to the City of Washington, which was then but an insignificant village on the banks of the Potomac, and Mr. Oliver Wolcott, in a letter to his wife, dated July 4th, 1800, says, "There is one good tavern about forty rods from the capitol, and several other houses are built or erecting; but I do not perceive how the members of Congress can possibly secure lodgings unless they will consent to live like scholars in a college or monks in a monastery, crowded ten or twenty in one house, and utterly secluded from society. The only resource for such as wish to live comfortably, will be found in Georgetown, three miles distant, over as bad a road in winter as the clay grounds near Hartford. . . . There are in fact, but few houses at any one place, and most of them small miserable huts, which present an awful contrast to the public buildings. The people are poor, and, as far as I can judge, they live like fishes, by eating each other. . . . You may look in almost any direction, over an extent of ground nearly as large as the City of New York, without seeing a fence or any object except brick-kilns and temporary huts for laborers. . . . There is no industry, society or business."[1]

The second session of the sixth Congress, and the first held in Washington, began its session on the third Monday of November, 1800, and terminated on the third of March following. At this session an Act was passed "to provide for

[1] In a letter written by Mrs. President Adams to her daughter, Mrs. Smith, dated November 25, 1800, she says: "I arrived here on Sunday last, and without meeting with any accident worth noticing, except losing ourselves when we left Baltimore and going eight or nine miles on the Frederick road, by which means we were obliged to go the other eight through the woods, where we wandered two hours without finding a guide or the path. Fortunately, a straggling black came up with us, and we engaged him as a guide to extricate us out of our difficulty; but woods are all you see from Baltimore, until you reach the "city," which is only so in name—here and there is a small cot, without a glass window, interspersed amongst the forests, through which you travel miles without seeing any human being."—Varnum's *Seat of Government*, p. 45.

the more convenient organization of the courts of the United States;" an Act which afterwards caused Mr. Jefferson to entertain and disseminate the most exceptionable doctrines. Before the passage of this new judiciary law, the United States was divided into thirteen judicial districts which composed three circuits. In each of these thirteen districts, two courts were held annually by two justices of the Supreme Court (then six in number) with the judge of the circuit. The great extent of these circuits, and the difficulties of traveling, caused great delay in the administration of justice, and a remedy had been repeatedly urged upon the attention of Congress.

By the new Act the number of districts was increased to twenty-three, and the number of circuits to six, with three circuit judges in each, leaving the judges of the Supreme Court to exercise power as a Court of Appeals, and for the correction of errors. The Act was approved on the 13th of February, 1801, between which time and the 4th of March (the expiration of his term of office,) President Adams appointed, with the consent of the Senate, all the judges, attorneys, marshals, etc. The United States Circuit Court for the fourth judicial district, composed of Maryland and Virginia, was organized and opened in the City of Baltimore, on the 20th of March, 1801, with Chief Judge Philip Barton Key, and George Keith Taylor and Charles Magill, associate justices. They were sworn in by Judge Samuel Chase, of the United States Supreme Court.

These gentlemen, together with those who were selected by President Adams, to fill the offices of the other circuits of the country, were men of high standing; but the law was condemned by the democratic party, and the judges were called "the midnight judges of John Adams," in allusion to the supposed time of appointment, at the close of his official duties. It was also alleged that the law was conceived by the President for the express purpose of making places for his federal friends.

The Fall elections in the States resulted in the triumph of the democratic ticket. In Maryland the democrats or republicans, as they were then sometimes called, succeeded in obtaining a sufficient majority in the House of Delegates to overcome the federal majority in the Senate, and to elect, on the 9th of November, John F. Mercer,[1] as governor; and they soon succeeded in obtaining a majority in the Senate also. The election of representatives to Congress resulted in the choice of General Samuel Smith, Joseph Hopper Nicholson,[2] John Archer, Richard Sprigg and Daniel Huster, democrats; and Thomas Plater, John Campbell and John Dennis, federalists. General S.

[1] John Francis Mercer, a revolutionary soldier of Maryland, was born in 1758, and graduated at William and Mary College in 1775. He was a delegate from Virginia to the old Congress in 1782-5, and from Maryland to the Convention which framed the Federal Constitution. He was a member of the State Legislature and member of Congress in 1792-4, and Governor from 1801 to 1803. He died in Philadelphia, August 30th, 1821.

[2] Joseph Hopper Nicholson was born in Maryland in 1770, and received a good education, and was a lawyer by profession. In 1805 he was appointed Chief Judge of the sixth judicial district, and was also a judge of the Court of Appeals of Maryland. From 1799 to 1806 he was a Representative in Congress, and died March 4th, 1817, aged forty-seven years.

Smith and Joseph H. Nicholson were elected without opposition, and were two of the most distinguished leaders on the administration side. Robert Goodloe Harper, the late federal leader in the House of Representatives, from the State of South Carolina, married the daughter of Charles Carroll, of Carrollton, removed to Baltimore, resumed the practice of the law, and soon became eminent in his profession.

When the seventh Congress assembled on the 7th of December, Mr. Jefferson suggested in his message among other measures, the reappointment of representation, in accordance with the new census recently completed, and the revision of the judiciary system. By the apportionment of representation by the census of 1800—the ratio being continued at one representative for 33,000 inhabitants—Maryland's representatives were increased to nine members. Mr. Jefferson looked unfavorably upon the independence of the judiciary department, and thought that the judges should be more under the control of Congress, or even of the Executive; that they should be appointed and removed as other public officers, and that they should hold the political sentiments of the majority. In acccordance with these views a bill was introduced in Congress to repeal the recent law reorganizing the courts, and notwithstanding the memorial sent by the highly respectable professional gentlemen of Philadelphia, "the first in age and eminence" who bore testimony that the federal courts as now established were "an honor and benefit to the nation" and the "abolition" of the same would "be attended with great public inconvenience," it was passed, and all the judges were expelled from their "stronghold" and reduced to the rank of private citizens.[1]

About this period a contest arose in Maryland to extend the right of suffrage by the abolishment of the property qualification required by the original constitution of 1776. Properly to understand this measure, it will be necessary to review the progress of this question which had agitated the people from the adoption of the first Constitution.

Great Britain as we have seen, having forced the colonies to a declaration of their independence, the Province of Maryland on the 3d of July, 1776, passed in substance the following resolutions:

"*Resolved.*—That a new convention be elected for the forming of a new government, and enacting all things for the general weal of the colony.

"*Resolved.*—That all freemen above twenty years of age being freeholders of not less than fifty acres of land, or having visible property in this colony to the value of £40, sterling, at the least, and no others to be admitted to vote for representatives to serve in the said convention."

The inhabitants of Maryland, animated with the spirit that rendered them so conspicuous in the day which "tried men's souls," complied with the request of their delegates. The danger was imminent, and safety could only be found in the wisdom and energy of counsel. They sought for, and selected, truly in the spirit of their constitution, "the most wise, sensible and discreet of the public."

[1] Bradford's *Federal Government*, p. 122. Sullivan's *Public Men of the Revolution*, p 221.

The delegates met in convention on the 14th of August, 1776. It appears that the inhabitants of Prince George's County decided that every taxable freeman bearing arms, should have the right of voting for the delegates to the convention, and the judges permitted such to vote. Upon the presentation of their credentials to the convention, it decided not to admit them, and ordered a new election to be held in accordance with the resolution requiring a property qualification, which was complied with. In Kent County the freemen who were destitute of the necessary qualification, prevented the election from being held, until the convention pledged itself to support the judges in the discharge of their duties, when they gave way. The convention as organized, possessed an array of talent, wisdom and experience which has never been surpassed in the history of Maryland legislation.

Thus it was that the whigs of the revolution organized the State of Maryland, and discussed the question "what interest ought a man to have in the community, before he should be permitted to have a voice in its government?"

The committee appointed to "report a form of government," at a very early day, submitted the second Article of the Constitution of 1776 as the result of their deliberations, which provides,

"That the House of Delegates shall be chosen in the following manner: All freemen, above twenty-one years of age, having a freehold of fifty acres of land in the county in which they offer to vote and residing therein, and all freemen having property in this State above the value of thirty pounds current money, and having resided in the county in which they offer to vote one whole year next preceding the election, shall have a right of suffrage in the election of delegates for such county."

An attempt was made in the convention to reduce the property qualification to five pounds, but it was unsuccessful; a similar fate attended another proposition to strike out the property qualification, and insert "or paying taxes to the support of the government."

The government of Maryland, as established by the Convention of 1776, was administered for nearly twenty years without any attempt to modify its second article, and taken as a whole, it was looked upon as the most perfect system adopted by any of the colonies.

However, in 1797, Mr. Michael Taney, the father of Hon. Roger B. Taney, Chief Justice of the United States, a delegate from Calvert County, and a zealous federalist, moved in the House of Delegates "to abolish all that part of the form of government which requires property as a qualification for voters or for office." The proposition being a new one, and the members not knowing the drift of public opinion, and being called upon suddenly to decide an important question which had not been agitated before their election, and totally unconscious of the wishes of their constituents, they were left to decide as their personal predilections or judgment inclined them. When the bill was called up, the best talent of the House was invoked to oppose it. Mr. Philip Barton Key, Thomas Buchanan, Robert Smith,

John Buchanan, J. H. Nicholson, Upton Bruce, Dr. Charles Frazier and Allen B. Duckett, were the most conspicuous in opposition to its passage. Mr. Nicholson, who was one of the ablest men of his day, opposed the amendment with great force and indignation. In the heat of the debate he moved to enlarge the right of voting to "women and children," intimating thereby, that the proposition was so unreasonable, as to be entitled only to be treated with ridicule. He however, withdrew his amendment and the bill finally passed the House of Delegates by a vote of thirty in the affirmative to twenty-one in the negative.[1]

In the Senate the bill was defeated. Before the next election, public attention was drawn to the subject, and in many of the counties the people withdrew their support from some of the candidates who had opposed the measure in the last House, and in others a number of the candidates were pledged to vote for the "extension of the right of suffrage to the poor." At the session of 1798, a new bill was proposed, supported by Mr. Nicholson and Dr. Frazier, who had opposed it in the last House, which was not zealously supported as before, and the motion for a reference to a committee was adopted by a large majority. It was never called up. In 1799, the attention of the House of Delegates was again drawn to the subject by Mr. John Thomas, of Frederick. A committee composed of himself, Mr. Philip Barton Key and Major McPherson, of Charles County, (three federalists), again reported a bill abolishing the property qualifications. It passed; forty-eight members voting in the affirmative to thirteen in the negative. The Senate adhered to their opinions of 1797, and withheld their assent to the bill.

After the formation of the two parties—the democrats and federalists—the latter under the leadership of Mr. Robert Smith, who then aspired to the first office in the gift of the nation, made every effort to secure a majority in the next House. They succeeded, and Mr. Smith was sent as a delegate from Baltimore City. Upon their organization they refused to re-elect the speaker of 1799, but selected in his place Mr. Edward Hall. It being the regular period for electing a United States Senator, they refused to do so until they could get control of the Senate, which they immediately set about doing. And to make this branch of the government odious before the people, it was again determined that the Senate should incur their displeasure by defeating the popular measure. The bill was passed in the House by a very large majority, but the Senate proposed an amendment to alter the qualification of thirty pounds, and substitute instead thereof, "or paying taxes." The House of Delegates refused to concur in this amendment, and the bill was again defeated.

[1] Among the members who voted against the passage of the bill were: Hon. Robert Smith, afterwards secretary of the navy, attorney-general, secretary of State, etc.; Joseph H. Nicholson, member of Congress, judge, etc.; Levi Hollingsworth, senator, etc.; Upton Bruce, member of the Maryland Senate and House from Allegany; Dr. Frazier, afterwards speaker, and Daniel Clarke, judge, etc.; Martin Kerchner, for many years a member from Washington County; Benjamin Tomlinson, the same from Allegany, and John Buchanan, afterwards judge, etc.

The controversy was thoroughly discussed in the canvass of 1801, and the democrats obtained a complete triumph, by securing a majority in both Houses. At this session a bill was introduced making the following amendment to the Constitution, which passed both branches:

"ARTICLE 7. That every free *white* male citizen of this State, and no other, above twenty-one years of age, having resided twelve months in the county next preceding the election at which he offers to vote, and every free white male citizen of this State, above twenty-one years of age, and having obtained a residence of twelve months next preceding the election, in the city of Baltimore, or the city of Annapolis, and at which he offers to vote, shall have a right of suffrage, and shall vote by ballot, in the election of such county or city, or either of them, for Delegates to the General Assembly, Electors of the Senate and Sheriffs."[1]

Early in the session of 1802, the Confirmatory Act was passed by the House, by a vote of forty-nine to seventeen; and immediately after, it was unanimously assented to in the Senate.

Up to this time the elective franchise in Maryland was free, without restriction of race, to "all freemen" possessing a freehold of fifty acres of land in the county" in which they offered to vote, or having a visible personal estate of thirty pounds.[2]

Elections by *viva voce* vote and the property qualification, were still required "in persons to be appointed, or holding offices of profit or trust," but, in November, 1809, Mr. John H. Thomas[3] introduced a bill in the Assembly by which all such clauses of the Constitution were repealed, and in the following year the Act was confirmed.[4] At this time pirates from the Barbary States were infesting the Mediterranean, and harassing the commerce of Christian nations. The American Navy was weak, and the United States consented to purchase immunity for their ships by yearly payments. In 1800, the Dey of Algiers ordered an American ship of war to carry an ambassador for him to the Porte, which the captain, being under the guns of the fort, did not dare to refuse. This excited the jealousy of the Pasha of Tripoli, who, in the next year, threatened war. Congress ordered

JOHN HANSON THOMAS.

[1] Act of 1801, chap. lxxxx.; 1802, chap. xx.

[2] Negroes were also enlisted in our armies during the Revolution, in the war of 1812, and their services were solicited, appreciated and praised by Washington, Hamilton and Jackson.—See *Historical Research*, by George Livermore, Massachusetts Historical Society, April 14, 1862.

[3] John Hanson Thomas, the son of Dr. Philip Thomas and Jane Contee Hanson, was born in Frederick, and on the 5th of October, 1809, married Mary Isham Colston. In 1808 he was elected to the House of Delegates by the federalists. By his eloquence and brilliant talents he rose to great distinction in the politics of the State, and had been selected by his party for a seat in the United States Senate, but dying on May 2d, 1815, before his election, the federalists honored his cousin, Alexander Contee Hanson, with a seat in that body. His father, Dr. Philip Thomas, the son of James Thomas and Elizabeth Bellicum, of Kent County, was born near Chestertown, 11th June, 1747, and commenced the practice of medicine in Frederick Town, August 1st, 1769. He was a sterling patriot during the Revolution, and did much to aid the cause. He died April 25th, 1815.

[4] In 1801, a bill was passed in the House to alter the constitution, so that the Senate should be chosen directly by the people, and not se-

a fleet to be fitted out, and war was declared in 1802. The fleet of four ships sailed for Tripoli under the command of Commodore Morris, who placed it under a blockade. In 1803, a new and much larger squadron was set out, and the command given to Commodore Edward Preble. In May, while cruising off the coast of Tripoli, several very important captures were made, but in October a serious accident occurred, by the frigate *Philadelphia* running upon a sunken rock. While in this position a flotilla of Tripolitan gun-boats succeeded in getting her off and towing her into the harbor, where she was afterwards destroyed by Lieutenant Decatur, a native of Maryland, and a party of gallant volunteers. In August, 1804, after having kept up a vigorous blockade, Preble attacked the harbor of Tripoli, which was well defended by heavy batteries, and by gun-boats and small armed vessels. After some desperate fighting, hand to hand, in which a large number of Marylanders figured conspicuously, two of the Tripolitan gun-boats were sunk and three others taken. The attack was renewed a few days after without success, in which a fire-ship that was sent into the harbor in hopes of blowing up some of the enemy's ships, under the command of Lieutenant Somers and picked crew of volunteers, blowed up prematurely. They were all killed. Among those who volunteered and were killed in this desperate service, was Midshipman Israel, of Washington County, Maryland.[1] In April, 1805, Commodore Barron and General Eaton made a combined attack by land and water against Derne, and the enemy were completely driven out. In this engagement Lieutenant George W. Mann, of Maryland, was one of the two who first planted the American flag on the walls of the city. Charles Gordon, John Davis and John Trippe, at the same time, displayed great gallantry. The Pasha then made peace, renouncing all claim to tribute; and soon after all the barbary pirates ceased demanding black mail from America.

COMMODORE DECATUR.

A matter now occurred which aroused great excitement in the political world. Judge Samuel Chase had adopted the plan of combining disquisitions on the politics of the day with his charges to the grand juries of his circuit; and as he was a zealous federalist, this custom, naturally, gave great offence to the democrats. Two-thirds of the House of Representatives were of the latter party, and one of their leaders was the eccentric John Randolph, who was so indignant at Judge Chase's conduct, that in January, 1804, he moved for a committee to inquire into the judge's official acts and character, and

lected by electors. The Senate refused to adopt it, unless the House would agree, after the year 1809, to allow the counties in the State to be represented in the House in proportion to their population, after deducting two-fifths of all slaves, and that not more than one representative should be allowed for every five thousand inhabitants, except the city of Baltimore, which was to have six members. The House refused to accept the amendment, and the bill failed to pass.

[1] He was an orphan, under the care of his uncle, Elie Williams, brother of General Otho H. Williams.

determine whether there was not ground for an impeachment. On the 26th of March, the committee reported six articles of impeachment; though, in order to find sufficient grounds, they had to go back to acts done nearly five years before and during the Federal administration; his conduct in the cases of John Fries and James Thompson Callender, tried in 1800 under the odious "Sedition Act," being selected by the committee as his most vulnerable point. An impeachment was ordered by a vote of about two to one, notwithstanding the earnest opposition of the federalists, who regarded the whole proceeding as mere party spite and vengeance. The session closed on the 27th of March, leaving the trial to the following session.

President Jefferson, the democratic candidate for re-election, received one hundred and sixty-two of the one hundred and seventy-six electoral votes in the election of 1805, and George Clinton was chosen Vice President by the same vote. The electors of Maryland[1] cast the eleven votes of the State, as follows: nine each for Jefferson and Clinton, and two each for Pinckney and King, the federal candidates.

On the 2d of January, 1805, Judge Chase appeared at the bar of the Senate, and the 4th of February was assigned for his trial. On this occasion the Senate chamber was fitted up in an appropriate manner, and with places for various official dignitaries. The accused appeared with Luther Martin, like Chase himself, originally opposed to the constitution, but who had become long since a warm federalist. Charles Lee, late Attorney General of the United States, Robert Goodloe Harper,[2] the former distinguished federal leader in the House, and Joseph Hopkinson, though then a young man, acquired for himself an exalted reputation, as his counsel. "For these," says Mr. Hildreth, "the ablest advocates in the union, to take no account of Chase, who was a host in himself, the managers on the part of the House were no match. Martin's massive logic, and Lee's and Harper's argumentative eloquence, directed always to the point, stood in striking contrast to the tingling but desultory surface strokes of Randolph, upon whom the main burden of the prosecution fell."[3] The managers on the part of the House, were Messrs. Randolph, Rodney, Nicholson, Clarke, Campbell, Boyle and Early. Aaron Burr, who had returned from his flight southward, for the killing of

[1] They were: John Parnham, Tobias E. Stansbury, Joseph Wilkinson, John Gilpin, John Johnson, William Gleaves, Edward Johnson, Perry Spencer, John Tyler, Ephraim K. Wilson, and Frisby Tilghman.

[2] Robert Goodloe Harper was born near Fredericktown, Va., in 1765, and graduated at Princeton in 1785. While young his parents emigrated to Greenville, N. C., and during Greene's campaign in the South he acted as quartermaster. He studied law at Charleston, S. C., and was elected to the Legislature, and in 1794-1801 was a member of Congress. He married Catharine, a daughter of Charles Carroll, of Carrollton, and at the expiration of his term in Congress resumed the practice of the law in Baltimore, where he soon became eminent in the profession. His defence of Judge Chase, when impeached by the House of Representatives, was a masterpiece. He was subsequently elected by the Legislature of Maryland to the United States Senate in 1815-16, and was made a Major General in the State militia. He took great interest in the colonization of the colored race and in the promotion of works of internal improvement. A volume of his addresses and speeches was published in Baltimore in 1814. He also published a number of pamphlets.

[3] *History of the United States*, Second Series, ii., p. 542.

Alexander Hamilton, on the 11th of July, 1804, and with an indictment for murder hanging over his head, presided with all his accustomed self-possession, dignity and grace at the trial. Mr. Sullivan says:

"The pleas and answer took nearly four hours in the reading; the judge read the introductory part, Mr. Harper then read more than an hour, Mr. Hopkinson continued the reading two hours, and the accused read the concluding part in the most solemn and impressive manner. This able and eloquent answer was in itself a complete refutation of the criminality of the charges. The prosecution was not considered at the time to have been so ably as malignantly conducted as far as party feeling was involved. But the counsel of Judge Chase did themselves the highest honor, as lawyers, as men of kind feelings, as gentlemen and as orators." [1]

The trial lasted until the first of March, when the judge, notwithstanding the strong democratic majority in the Senate, was acquitted on five of the eight charges against him by decided majorities—on one of them unanimously. Of the three other articles, two relating to Callender's trial, and the third to his charge to the Maryland grand jury in 1803, a majority of the Senators present held him guilty; but, as it required two-thirds of the whole to concur in a conviction, he was acquitted on all the charges.

President Jefferson was inaugurated the second time, as President of the United States, on the 4th of March, 1805, and on the 2d of December, of the same year, the Ninth Congress opened its first session. The message of the President was chiefly devoted to our foreign relations, which it represented as being in an unfavorable condition, owing to the proceedings of France and England, which were then at war. He said: "Our coasts have been infested and our harbors watched by private armed vessels, some of them without commissions, some with illegal commissions, others with those of legal form, but committing piratical acts beyond the authority of their commissions. They have captured in the very entrance of our harbors, as well as in the high seas, not only the vessels of our friends coming to trade with us, but our own also. They have carried them off under pretence of legal adjudication, but not daring to approach a court of justice, they have plundered and sunk them by the way, or in obscure places where no evidence could arise against them; maltreated the crews, and abandoned them in boats in the open sea or on desert shores without food or covering." [2] He also alluded to the French and Spanish who infested our Southern coast, annoying our commerce with the West Indies, and also the conduct of Great Britain.

"The same of hovering on our coasts and harbors, under color of seeking enemies, has been also carried on by public armed ships, to the great annoyance and oppression of our commerce. New principles, too, have been interpolated into the law of nations, founded neither in justice nor the usage or acknowledgment of nations. According to these, a beligerent takes to himself a commerce with its own enemy, which it denies to a neutral, on the ground of its aiding that enemy in the war. But reason revolts at such an inconsistency, and the neutral having equal right with the beligerent, to

[1] *Public Men of the Revolution.* [2] *Statesman's Manual*, 1., p. 178.

decide the question, the interest of our constituents, and the duty of maintaining the authority of reason, the only umpire between just nations, impose on us the obligation of providing an effectual and determined opposition to a doctrine so injurious to the rights of peaceable nations."[1]

In the new European War, France, Holland and Spain were allied against Great Britain, and the exposure to capture of the merchant vessels belonging to these nations, had caused their withdrawal from the ocean. The United States and other neutral maritime nations, from this cause, were enjoying an immensely profitable carrying trade, not only with the colonies of the belligerents, but with the mother countries, and on principles recognized by Great Britain, and the established rule of national law, which was, "that the goods of a neutral, consisting of articles not contraband of war, in neutral vessels, employed in a direct trade between a neutral and beligerent country, are protected, except in ports invested or blockaded." In conformity to this principle, a direct trade was carried on with the enemies of Great Britain and their colonies, and chiefly by American vessels; and not well pleased to see American merchants so rapidly amassing fortunes, and her enemies receiving by American ships the productions of their own colonies, without the hazard which would attend the transportation in vessels of their own, Great Britain ordered the capture of our vessels, alleging that the trade was unlawful, on the principle that "a trade from a colony to its parent country, not being permitted to other nations in a time of peace, cannot be made lawful in a time of war."[2]

These depredations upon American commerce excited universal indignation throughout the United States. The mercantile part of the community were exasperated to the utmost degree. The administration were stigmatized as equally regardless of the honor and interest of the nation, for not resisting these pretensions and procuring redress for the depredations. Meetings of merchants were held in almost all the commercial towns and cities in the United States. Strong memorials were drawn up, urging the President and Congress to adopt such measures as might be necessary to procure redress. The memorial of the merchants of Baltimore is a masterly composition, and may be regarded as a complete defence of neutral rights against belligerent pretensions and encroachments; and "its maxims," says Mr. Carey, "ought to be committed to memory by every statesman, in all those countries whose interest it is to preserve a neutral situation."[3]

"It would not be desired that the state of things which Great Britain had herself prescribed, and which use and habit had rendered familiar and intelligible to all, should be disturbed by oppressive innovations; far less than these innovations should by a tyranical retrospection, be made to justify the seizure and confiscation of their property, committed to the high seas, under the protection of the existing rule, and without warning of the intended change. In this their just hope, your memorialists have been fatally disappointed. Their vessels and effects to a large amount, have lately been captured by the commissioned cruisers of Great Britain upon the foundation of new principles suddenly

[1] *Statesman's Manual*, p. 178.
[2] Young's *American Statesman*. p. 217.
[3] *Olive Branch.*

invented, and applied in this habitual trafic; and suggested and promulgated, for the first time, by sentences of condemnation; by which, unavoidable ignorance has been considered as criminal, and an honorable confidence in the justice of a friendly nation, pursued with penalty and forfeiture.

"Your memorialists are in no situation to state the precise nature of the rules to which their most important interests have been sacrificed; and it is not the least of their complaints against them, that they are undefined and undefinable; equivocal in their form, and the fit instruments of oppression, by reason of their ambiguity.

"When we see a powerful State, in possession of a commerce, of which the world affords no examples, endeavoring to interpolate into the laws of nations casuistical niceties and wayward distinctions, which forbid a citizen of another independent commercial country to export from that country what unquestionably belongs to him, only because he imported it himself, and yet allow him to sell a right of exporting it to another; which prohibit an end, because it arises out of one intention, but permit it when it arises out of two; which, dividing an act into stages, search into the mind for a correspondent division of it in the contemplation of its author, and determined its innocence or criminality accordingly; which, not denying that the property acquired in an authorized traffic by neutral nations from belligerants, may become incorporated into the national stock, and, under the shelter of its neutral character, thus superinduced, and still preserved, be afterwards transported to every quarter of the globe, reject the only epoch, which can distinctly mark the incorporation, and point out none other in its place; which, proposing to fix with accuracy and precision, the line of demarcation, beyond which neutrals are tresspassers upon the wide domain of belligerant rights involve everything in darkness and confusion; there can be but one opinion as to the purpose which all this is to accomplish.

"Your memorialist's object, in the strongest terms, against this new criterion of legality, because of its inevitable tendency to injustice; because of peculiar capacity to embarrass with seizure and ruin with confiscation, the whole of our trade with Europe in the surplus of our colonial importation.

"For the loss and damage which capture brings along with it, British courts of prize grant no adequate indemnity. Redress to any extent is difficult; to a competent extent impossible. And even the costs which an iniquitous seizure compels a neutral merchant to incur, in the defence of his violated rights, before their own tribunals, are seldom decreed, and never paid.

"The reasons upon which Great Britain assumes to herself a right to interdict the independent nations of the earth, a commercial intercourse with the colonies of her enemies (out of the relaxation of which pretended right has arisen the distinction in her courts between the American trade from the colonies to the United States, and from the same colonies to Europe), will, we are confidently persuaded, be repelled with firmness and effect by our government.

"She forbids us from transporting in our vessels, as in peace we could, the property of her enemies; enforces against us a rigorous list of contraband; dams up the great channels of our ordinary trade; abridges, trammels, and obstructs what she permits us to prosecute; and then refers us to our accustomed traffic in time of peace for the criterion of our commercial rights, in order to justify the consummation of that ruin, with which our lawful commerce is menaced by her maxims and her conduct.

"The pernicious qualities of this doctrine are enhanced and aggravated, as from its nature might be expected, by the fact that Great Britain gives no notice of the time when, or the circumstances in which, she means to apply and enforce it. Her orders of the 6th of November, 1793, by which the seas were swept of our vessels and effects, were, for the first time, announced by the ships of war and privateers, by which they were carried into execution.

"The late decisions of her courts, which are in the true spirit of this doctrine, and are calculated to restore it in practice, to that high tone of severity, which milder decisions had almost concealed from the world, came upon us by surprise. And the captures which the Dutch complained, in the seven years' war, were preceded by no warning. Thus is this principle most rapacious and oppressive in all its bearings. Harsh and mysterious in itself, it has always been, and ever must be, used to betray neutral merchants into a trade, supposed to be lawful, and then to give them up to pillage and ruin.

"But there can be no security while a malignant and deceitful principle like this hangs over us. It is just what the belligerent choose to make it, lurking unseen and unfelt, or visable, or active, and noxious. It may come abroad when least expected; and the moment of confidence may be the moment of destruction.

"It may sleep for a time, but no man knows when it is to awake, to shed its baneful influence upon the commerce of the world. It clothes itself from season to season, in what may be called relaxations, but again, without any previous intimation to the deluded citizens of the neutral powers these relaxations are suddenly laid aside, either in the whole, or in part, and the work of confiscation commences. Nearly ten months of the late war had elapsed before it announced itself at all, and when it did so, it was in its most formidable shape, and in its fullest power and expansion.

"Your memorialists feel themselves bound to state, that according to authentic information lately received, the government of Great Britain does at this moment, grant licenses to neutral vessels taking in a proportion of their cargoes there, to proceed on trading voyages to the colonies of Spain, from which she would exclude us; upon the condition that the return cargoes shall be carried to Great Britain, to swell the gains of her merchants and to give her a monopoly of the commerce of the world. This great belligerent right, then, upon which so much has been supposed to depend, sinks into an article of barter. It is used not as a hostile instrument wielded by a warlike state, by which her enemies are to be wounded or their colonies subdued, but as the selfish means of commercial aggrandizement, for the impoverishment and ruin of her friends; as an engine by which Great Britain is to be lifted up to a vast heighth of prosperity, and the trade of neutrals crippled and crushed and destroyed. Such acts are a most intelligible commentary upon the principle in question. They show that it is a hollow and fallacious principle, susceptible of the worst abuse, and incapable of a just and honorable application. They show that in the hands of a great maritime State, it is not, in its ostensible character of a weapon of hostility, that it is prized; but rather as one of the means of establishing an unbounded monopoly, by which every enterprise calculated to promote national wealth and honor, shall be made to begin and end in Great Britain alone. Such acts may well be considered as pronouncing the condemnation of the principle against which we contend, as withdrawing from it the only pretext upon which it was possible to rest it; Great Britain does not pretend that this principle has any warrant in the opinion of writers on public law. She does not pretend, and cannot pretend that it derives any countenance from the conduct of other nations. She is confessedly solitary in the use of this invention, by which rapacity is systematized, and a state of neutrality and war are made substantially the same. In this absence of all other authority, her courts have made an appeal to her own early example for the justification of her own recent practice. Your memorialists join in that appeal, as affording the most conclusive and authoritative reprobation of the practice which it is intended to support by it.

"The solemn renunciation of the principle in question, in the face of the whole world, by her highest tribunal in matters of prize, reiterated in a succession of decrees down to the year 1786 and afterwards, is powerfully confirmed by the acquiescence of Great Britain, during the first most important and active period of the late war, in the free and unlimited prosecution by neutrals of the whole colony trade of France. She did, indeed,

at last, prohibit that trade by an instruction unprecedented in the annals of maritime depredations; but the revival of her discarded rule was characterized with such circumstances of iniquity and violence as rather to heighten by the effect of contrast, the veneration of mankind for the past justice of her tribunals. The world has not forgotten the instruction to which we allude, or the enormities by which its true character was developed. Produced in mystery, at a moment when universal confidence in the integrity of her government had brought upon the ocean a prey of vast value and importance; sent abroad to the different naval stations with such studied secrecy that it would almost seem to have been intended to make an experiment. How far law and honor could be outraged by a nation proverbial for respecting both. The heralds by whom it was first announced were the commanders of her commissioned cruisers, who at the same instant carried it into effect with every circumstance of aggravation, if such an act there can be any aggravation. Upon such conduct there was but one sentiment. It was condemned by reason and justice. It was condemned by that law which flows from, and is founded upon them. It was condemned, and will forever continue to be condemned by the universal voice of the civilized world.

"Thomas Tenant, William Wilson, William Taylor, George Stiles, John Collins, Hugh Thompson, John Sherlock, Henry Payson, William Lorman, T. Hollingsworth, Steuart Brown, Samuel Sterret, William Patterson, John Stricker, Benjamin Williams, Luke Tiernan, Joseph Sterret, James Calhoun, Alexander McKim, Mark Pringle, John Donnel, T. Swan, Robert Gilmor, J. A. Buchanan, David Stewart, Samuel Taylor.

"*Baltimore, January 21st, 1806.*"

In consequence of the presentation of this memorial, with others, the United States Senate took the subject into the most serious consideration, and on the 10th of February, 1806, unanimously

"*Resolved*, That the capture and condemnation, under orders of the British government, and adjudications of their courts of admiralty, of American vessels and their cargoes, on the pretext of their being employed in a trade with the enemies of Great Britain, prohibited in time of peace, is an unprovoked aggression upon the property of the citizens of the United States; a violation of their neutral rights; and an encroachment upon their national independence."[1]

On the 14th of February, they also passed the following resolution:

"*Resolved*, That the President of the United States be requested to *demand* the restoration of the property of their citizens captured and condemned on the pretext of its being employed in a trade with the enemies of Great Britain, prohibited in time of peace; and the indemnification of such American citizens for their losses and damages sustained by these captures and condemnations; and to enter into such arrangements with the British government on these and all other differences between the two nations (and particularly respecting the *impressment of American seamen*) as may be consistent with the honor and interests of the United States, and manifest their earnest desire for themselves and their citizens of that justice which they are entitled."[2]

In compliance with the remonstrance of the merchants, as a means of inducing Great Britain to abandon her unjust pretensions, and cease her depredations, an Act was passed on the 18th of April, 1806, prohibiting the importation from any of her ports or from the ports of her colonies, of any goods manufactured of leather, silk, hemp, tin or brass; low-priced woolen

[1] *Journal of the Senate for 1806*, p. 126. [2] *Ibid.*, p. 131.

cloths, window-glass and glass-ware, silver and plated ware, paper of every description, nails and spikes, hats, clothing, millinery, playing cards, beer, ale, porter, pictures and prints.

Mr. William Pinkney was appointed on May 12th, Envoy Extraordinary to the Court of St. James, for the purpose of effecting some satisfactory arrangement with Great Britain, in co-operation with Mr. Monroe, the resident minister. Mr. Pinkney, at this time, held a conspicuous position among the distinguished men of the country, and was the most eminent of all the distinguished lawyers of the Maryland bar. Born in Annapolis on March 17th, 1764, the son of an Englishman who emigrated to Maryland, and who espoused the royalist cause in the Revolution, young Pinkney threw himself with ardor at the outset of life on the tide of the colonies. His early education, owing to his poverty, his father's property having been confiscated, was gleaned at King William School. His great ambition and ardent temperament impelled him through life to the acquisition of knowledge. His legal abilities were early appreciated by Samuel Chase, and in 1783, he began the study of law in his office. Admitted to practice in 1786, he soon attracted attention by his oratory, and his political rise was very rapid, and his career a most brilliant one. In 1788, only two years after his settlement in Harford County, and when but twenty-four years of age, he was chosen a delegate to the State Convention, which ratified the Federal Constitution, and also to the House of Delegates. He was married in 1789 to the sister of Commodore Rodgers, and in 1790 was elected a member of Congress, gaining a contested election but not taking his seat. In 1792–5, he was chosen a member of the governor's council, and again in 1795 a delegate to the Legislature from Anne Arundel County. While he had thus attained a distinguished political rank, he rose to the head of the bar in Maryland. In 1796 he was appointed by Washington, one of the Commissioners to England, under Jay's treaty, to present and adjust American claims, remaining in England eight years and acquiring great distinction. One of the claims recovered was the one due the State from the Bank of England. He returned to America in 1804, was next year appointed Attorney General of Maryland, but as we have seen, was again sent to England in the subsequent year as Minister Extraordinary, in concert with Mr. Monroe, the regular Minister. The British government with all obstinacy and duplicity evaded the just claims of the United States, and after a residence of five years, Mr. Pinkney was recalled at his own request. In September, 1811, he was chosen to the State Senate from Baltimore, and was United States Attorney General from December, 1811 to 1814. He commanded a volunteer battalion at the battle of Bladensburg, and was severely wounded. In 1815–16, he was a member of Congress, and made among other able speeches, one upon the "treaty-

WILLIAM PINKNEY.

making power," which attracted great attention throughout the country. In 1826 he was for the third time, sent abroad as special Minister to Naples and to St. Petersburg. He stayed abroad two years, and on his return resumed the practice of his profession, being engaged in numerous great cases before the Supreme Court. As a Senator in Congress, to which position he was elected in 1820, he was engaged with all his great powers upon the Missouri Compromise Bill, when his sudden death occurred, by over-exertion in the Supreme Court, on February 25th, 1822, in a case in which he took great interest, at a time when the state of his health unfitted him for application to study and business. The life of Mr. Pinkney presents very remarkable aspects, much of his time being passed in Europe, yet always on his return, being at once sought for and retained as counsel in the greatest causes, and not finding his practice gone from him, as with others similarly interrupted. The characteristics of Pinkney's legal genius were intense application, ambition, fire, a wondrous insight into the most abstruse subtleties of law, a towering and lofty port in argument, impatience and dislike of rivals, a copious and splendid diction, and consummate address. Leaving almost nothing reported, his fame is mainly traditional, but all his great contemporaries of the Maryland bar, as well as such celebrated characters as John Randolph, Benton, Webster and Judge Story, have recorded their opinions of his powers. Judge Story always said, to the close of his life, that he had never seen his equal, and never expected to.[1]

In May, the British Government passed further orders in council, declaring a blockade of certain European ports. The Emperor Napoleon replied with his Berlin Decree, forbidding the introduction of English goods into any port in Europe, even on board neutral vessels, and closing the ports of France against any vessel that had touched at an English port. England retaliated by an order declaring the whole coast of Europe in a state of blockade. This drew from the emperor the Milan Decree, confiscating not only the vessels and cargoes that violated the Berlin Decree, but even such as had been searched by British cruisers. Between these two contending powers, the United States, as a neutral commercial power, were the chief sufferers; and, as peaceful redress was refused, it was left for them to choose which should be fixed upon as the enemy.

While the depredations sustained by our merchants were yet under discussion, three of the men of the British frigate *Melampus*, engaged with the British squadron, in watching some French frigates, blockaded at Annapolis, deserted, and enlisted among the crew of the United States frigate *Chesapeake*, lately built in Baltimore, and destined to compose part of an American

[1] Edward Coate Pinkney, the poet, was the son of William, and born in London, October, 1802. He was educated at St. Mary's College, Baltimore, and was in the naval service in 1816-24; then practiced law without success; next failed in an attempt to procure a commission in the naval service of Mexico; and in 1827 assumed for a brief period the control of a political journal in Baltimore called the *Marylander*. He was the author of *Rudolph and other Poems*, published in 1825. An edition of his poems appeared in 1844, with a brief introduction by N. P. Willis, in the series of the Mirror Library, entitled *The Rococo*.

squadron against the Barbary powers. Four separate demands were made for these men, but without success; one on Lieutenant Sinclair, of the *Chesapeake;* one by the British consul, on the Mayor of Norfolk; one on Captain Decatur; and one by Lord Erskine, the British minister on the Secretary of State. The government, willing to be just, and anxious for honorable peace, instituted inquiries concerning the deserters, and Commodore Barron, in a letter to the secretary of the navy, dated April 7th, 1807, thus gives an account of the deserters:

"William Ware, pressed from on board the brig *Neptune*, Captain Crafts, by the British frigate *Melampus*, in the Bay of Biscay, has served on board the said frigate fifteen months.

"William Ware is a native American, born on Pipe creek, Frederick County, State of Maryland, at Bruce's Mills, and served his time at said mills. He also lived at Ellicott's Mills, near Baltimore, and drove a wagon several years between Hagerstown and Baltimore. He also served eighteen months on board the United States frigate *Chesapeake*, under the command of Commodore Morris and Captain James Barron. He is an Indian looking man.

"John Strachan, born on the Eastern Shore of Maryland, Queen Ann's County, between Centreville and Queen's Town. Strachan sailed in the brig *Martha Blund*, Captain Wyvill, from New York to Dublin, and from thence to Liverpool. He there left the brig and shipped on board an English Guineaman. He was pressed on board the *Melampus*, off Cape Finistere." [1]

The other, a colored man, named Martin, was a native of Massachusetts and was pressed at the same time and place with William Ware. Ware and Strachan had protections, but Martin had lost his. The *Chesapeake* sailed with these men on board, and on the 21st of June, 1807, when at sea, not far from the Capes of Virginia, the *Chesapeake* was overtaken by the British frigate *Leopard* of fifty-six guns, commanded by Captain Humphreys. The *Chesapeake* carried forty-four guns. Captain Humphreys sent his boat with a note to Commodore Barron, informing him that his commanding officer, Vice Admiral Berkeley by instructions dated 1st of June, had directed him to take any British deserters on board the *Chesapeake*, by force if necessary, and to allow on his part a search for American deserters. Barron astonished at the insolence of Humphreys and the assumptions of Berkeley, refused permission to search, and stated that he had no deserters on board the *Chesapeake*, and that his crew should not be mustered except by their own officers. On the receipt of this answer the *Leopard* opened fire upon the *Chesapeake*, and the latter being taken by surprise, and unprepared for action, did not return the fire, and immediately struck her flag. Three men were killed and eighteen wounded upon the unresisting ship. When the American ensign was lowered, several of the British officers went on board,

[1] "The unfortunate deserters were taken to Halifax, and sentenced to be hung. The three Americans were reprieved, on condition that they should re-enter the British service, but Wilson, the English subject, was hanged. One of the Americans died in captivity in the English navy, and the others, after five years' hard service, were restored to the deck of the *Chesapeake*."—Lossing, *War of 1812*, p. 158.

mustered the crew, arrested the three deserters from the *Melampus*, and took a fourth named John Wilson, who had deserted from the *Halifax*. Captain Humphreys, refusing to receive the *Chesapeake* as a prize, she returned to Norfolk. John Hayden, of Baltimore, was wounded in the attack on the *Chesapeake*.

This outrage excited the utmost indignation throughout the United States, and for a time united all parties in the common clamor for reparation of the insult and injury, or for war. Public meetings were held in all the principal cities from Boston to Norfolk, in which the feelings of the people were vehemently expressed. "For the purpose of considering what steps or what declarations might be expedient and becoming the part of the city of Annapolis relative to the flagrant and bloody outrages lately committed by the British naval force stationed on our coast, upon the United States frigate *Chesapeake*," the citizens of that city, on the 29th of June, 1807, called a public meeting, and organized with Robert Wright[1] as chairman, and John Johnson as secretary. After the object of the meeting had been stated, a number of resolutions were unanimously adopted, condemning the outrage. The meeting further declared:

"That in unison with our fellow citizens of Norfolk, Portsmouth and Hampton, and in confidence that the government of the United States will, in due time, take suitable measures for marking out to the American people the conduct to be observed towards the nation responsible for this unparalleled outrage, we will, until such measures are taken, in any possible occasion of aid or intercourse being sought by any British armed ship or vessel from or with this city and port, or the neighboring shores, withhold, refuse and to the utmost of our power prevent such aid and intercourse; and that we do and will consider as enemies to their country those who shall practice or advise a different conduct.

"That we also do pledge our lives and property in support of such measures as may be adopted by the government for avenging the present sanguinary insult, or for meeting the further hostilities which it gives room to expect."

And for the purpose of carrying out the spirit of the resolutions, the following committee of prominent citizens was appointed: Robert Wright, John T. Shaaff, Jeremiah T. Chase, Reverdy Ghiselin, William Kilty,[2] John Gassaway, John Kilty, Richard H. Harwood, Nicholas Carroll, Lewis Duvall, John Muir, Nicholas Brewer and Burton Whetcroff. A similar meeting was

[1] Robert Wright was born in Kent County, and a United States Senator from 1801 to 1806, when he resigned. He was at one time a member of the Governor's Council; Governor from 1806 to 1809; a representative in Congress from 1810 to 1817; re-elected for the term from 1821 to 1823, and died September 7th, 1826.

[2] William Kilty studied medicine with Dr. Edward Johnson, of Annapolis, and in April, 1778, proceeded to Wilmington, Delaware, where he received the appointment of "surgeon's mate" in the 5th Maryland regiment. He continued to discharge the duties of his position until the resignation of Michael Wallace, the surgeon of the regiment, when he was promoted in April, 1780, to fill the vacancy. He continued to act as surgeon until he was made prisoner at the battle of Camden. In the spring of 1781 he returned to Annapolis, where he continued to reside until the close of the war, owing to his failure to obtain an exchange. He settled in the city of Washington in 1800, and in the following year was appointed chief justice of the Circuit Court for the District of Columbia. On the 26th of January, 1806, he was appointed Chancellor of Maryland, which position he held until his death, October 10th, 1821, in the 64th year of his age. Hon. John Johnson, chief judge of the first judicial district was appointed on the 15th of October, 1821, to fill the vacancy.

held in Baltimore on the 29th of June, with General Samuel Smith as chairman, and John Stephen, secretary. Similar resolutions were adopted, and Alexander McKim, Thomas McElderry, James H. McCulloch, James Calhoun, Samuel Sterett, Robert Gilmor, Mark Pringle, and John Stephen, were appointed a committee of correspondence. The citizens of Baltimore also adopted the following:

"*Resolved, unanimously*, That we view with indignation and horror, the wanton attack lately made upon the *Chesapeake* frigate by the British ship of war *Leopard*, by which many of our fellow citizens have been killed and wounded, and the government and flag of our country most grossly insulted.

"*Resolved, unanimously*, That we will with our lives and fortunes, support the government in all such measures as they may adopt on this momentous occasion, to obtain redress and satisfaction for the outrage aforesaid."

The critical situation of our foreign relations induced the President to convene the tenth Congress on the 25th of October, 1807, and in a special message, on the 18th of December, he recommended to that body the passage of an Act, laying an embargo on all vessels of the United States. The subject was immediately discussed in Congress in secret session, and an embargo bill passed on the 22d of December, 1807. In pursuance of this law, all American vessels were prohibited from sailing for foreign ports; all foreign vessels from taking out cargoes; and all coasting vessels were required to give bond to land their cargoes in the United States.

Those who expected to see great national triumphs follow the "Embargo Law," were greatly disappointed, for it almost annihilated the commerce of the country, and the evils brought upon our own industries were far greater than those inflicted on England or France. In the New England States especially, the loudest complaints were made, and such was the height to which the dissatisfaction at length arose in those States, as to cause apprehensions that, if the embargo law should be persisted in, it would meet with violent resistence, and that they would withdraw from the Union.[1]

At this session of Congress, measures of defence were adopted, such as the erection and repair of fortifications on the sea coast, and for building and manning a large number of gunboats; for raising eight additional regiments of troops; for detaching one hundred thousand of the militia for service, if required, and for arming the whole body of the militia in the United States.

In consequence of these provisions for war, Governor Robert Wright, appointed in July, Samuel Tarbut Wright, Adjutant General of the State militia. On the 20th he issued his first order, commanding the officers of divisions, brigades, regiments, etc., residing in the vicinity of the Chesapeake, to be vigilant in guarding against the violation of the President's proclamation, and to be prompt to repel every attempt to violate the same within the limits of Maryland, by the exercise of so much of the force under their respective commands as might be necessary for the occasion.

[1] Young's *American Statesman*, p. 232.

On the 6th of July the President made a requisition of the States for 100,000 men to take the field at a moment's warning. Of this number the Governor of Maryland was authorized to furnish a quota of 5,863 men; and such was the enthusiasm of the people that double that number volunteered their services to the government.[1]

No Act of the Federal Government, since its first organization, excited so much dissatisfaction as the embargo bill. The impression, which William Pinkney says existed in England that we were "not capable of preserving in self denial," proved painfully true. A large majority of the nation were willing to endure their share of the privation; but it was almost universally believed in the New England States, that the embargo was the result of a combination between the Southern and Western States, to ruin the Eastern. The ultra-federal leaders first deluded and then inflamed the public mind in those States by persuading the inhabitants that they were the victims of partial, and therefore, tyrannical legislation of the dominant "Virginia Party."

Never was there a more factious or unfounded clamor excited. The pretence of the federal leaders that the New England States enjoyed such a preponderance in commercial and maritime interests, that an injury to those interests constituted a special and "sectional" attack on them was not true. According to official tables, the value of the foreign and domestic exports of the United States from 1791 to 1813, was $1,343,452,000; of this amount the exports of the Eastern, Middle and Southern States, were in value as follows:

Eastern States.	
Massachusetts	$235,080,000
New Hampshire	8,362,000
Vermont	2,457,000
Rhode Island	28,855,000
Connecticut	24,443,000
	$299,197,000
Middle States.	
New Jersey	$1,413,000
Delaware	5,819,000
New York	293,276,000
Pennsylvania	234,658,000
	$535,166,000
Southern States.	
Maryland	$187,870,000
Virginia	98,313,000
North Carolina	13,880,000
South Carolina	148,574,000
Georgia	30,900,000
New Orleans	16,406,000
District Columbia	13,144,000
	$509,089,000

[1] Among the volunteers were the 5th Regiment, Colonel John Stricker; Captains James Briays' and Jervis Spencer's troops of horse; Captains John Barnes, of 1st Regiment, Charles County; Philip F. Resan, 21st Regiment, Kent County; Levy Philips, 3d Regiment, Montgomery County; Allen Billingsly, 45th Regiment, St. Mary's County; and the companies of Joseph H. Nicholson, John Elder, John B. Wells, Nathan Brawner, John Mackall, Joseph Harlin, and a number of others.

Or for the New England States less than one-fourth of the whole amount. Thus, it will be seen, that the Eastern States, since the formation of the government up to 1813, exported foreign and domestic articles, including an immense amount of southern and foreign productions, only $299,197,000, whereas the Southern States in the same period, exported to foreign countries, $509,089,000, principally of their own productions and manufactures, exclusive of the large amount of their cotton, tobacco, rice, naval stores, etc., exported by the Eastern States.

At the same time it will be seen that Maryland, Virgina and the District of Columbia exported more than the whole five of the New England States combined! And Maryland alone exported nearly eight times as much as Connecticut; above six times as much as Rhode Island; twenty-three times as much as New Hampshire; almost eighty times as much as Vermont; and almost three times as much as the four combined. And the Southern States exported seventy-five per cent. more than the five Eastern States!

Again, in the exports of the United States, from 1791 to 1802[1] inclusive, Maryland, according to the following table, exported more than eight times as much as Connecticut; more than seven times as much as Rhode Island; two per cent. more than "the great commercial State" of Massachusetts; and very nearly as much as Massachusetts, New Hampshire and Vermont united.

Maryland		$101,026,000
Massachusetts	$98,770,000	
New Hampshire	3,829,000	
Vermont	165,000	102,764,000
Connecticut		12,328,000
Rhode Island		14,113,000

At the same time Maryland exported above two hundred and thirty per cent. more than New Hampshire, Vermont, Connecticut and Rhode Island. And the five Southern States exported nearly twice as much as the five "great commercial Eastern States."

In the exports of foreign articles from the United States from 1803 to 1813, Maryland exported above seven times as much as Rhode Island; thirty-five times as much as New Hampshire; forty-five times as much as Vermont; one hundred times as much as Connecticut; and above five times as much as the four minor Eastern States. And for the same time in domestic exports, Virginia [$42,833,000], and Maryland [$36,630,000], exported more than all

[1] A summary of the value of the exports from the United States for one year, ending 30th September, 1801:

From New Hampshire	$ 431,836
" Vermont	57,041
" Massachusetts	11,326,876
" Rhode Island	1,322,945
" Connecticut	1,114,743
" New York	14,045,079
" New Jersey	2,289
From Pennsylvania	$11,949,679
" Delaware	418,695
" Maryland	12,264,331
" Virginia	4,430,683
" North Carolina	709,795
" South Carolina	10,668,510
" Georgia	2,174,268
	$70,971,780

the Eastern States, [$78,752,000]. Maryland alone exported above fifty per cent. more than Rhode Island, New Hampshire, Connecticut and Vermont. The Eastern States, which presented such deceptive statements of their commercial importance on the ground of their exports and imports, likewise made equally high and equally unfounded pretensions in the matter of their shipping. The aggregate tonnage of Vermont, New Hampshire, Rhode Island and Connecticut in 1811, was 108,000 tons. That of the single port of the City of Baltimore in the same year was 103,000, which is nearly equal to the whole amount of the tonnage of these four States. The tonnage of the whole State of Maryland for that year, was 143,000 tons, being an excess of 35,000 tons, or nearly one-third more than those four States.[1]

In the meanwhile, the Embargo Act was openly and flagrantly violated. The newspapers of Boston by incessant appeals invited the citizens to set it at defiance, and the British government added the allurement of its powerful invitation. Independent of its alleged unconstitutionallty, it was denounced by the Eastern States as tyrannical, oppressive and unjust towards their citizens—and ineffective towards those nations whose insults and outrages it was intended to prevent. In the Southern States however, the administration was heartily sustained, and the Southern members in Congress, led by General Samuel Smith, of Baltimore, Giles, of Virginia, and Crawford, of Georgia, expressed their astonishment at the violence of New England, which they contrasted with the patriotic acquiescence of the Middle and Southern States.

During all this time, smuggling into and from Canada, especially through Lake Champlain, was common, and so openly carried on that parties went armed to resist the customs officers. In the seaports, also, as the bareness of foreign markets increased the temptation, the embargo was, day by day, more artfully evaded or more openly defied.

In August, 1808, the President wrote to the secretary of war that "the infractions in the embargo in Maine and Massachusetts were open." And on the 9th, he wrote to General Dearborn that insurrection was threatened in Boston if the importation of flour was stopped, and that the "next post would stop it"—that he feared the governor "was not up to the tone of the parricides" —and he desired his correspondent, on the first symptom of a forcible opposition to the law, to "fly to the scene and aid in suppressing any commotion." "He advised Governor Tompkins, of New York, August 15th, to call out a body of militia to put down combinations of armed men who had resisted the execution of the embargo laws on the Canada frontier, and fired upon the public guards, and wounded at least one of them dangerously."[2] On the 30th of August, General Wilkinson was ordered to send all the recruits for the army in the State of New York to Sackett's Harbor, Oswegatchie and Plattsburg. Military force and gunboats were also stationed at several of the eastern ports to support the revenue officers.

[1] *Olive Branch.*

[2] Randall's *Jefferson*, iii., p. 262.

Congress convened on the 7th of November, 1808, and the various propositions in regard to the embargo, were referred to the committee on foreign relations, which reported November 22d, "that the United States could not, without a sacrifice of their rights, honor and independence, submit to the late edicts of Great Britain and France; that it was expedient to prohibit the admission of either the ships or merchandise of those belligerents into the ports of the United States; that the country ought to be placed immediately in a state of defense."

After a protracted debate the two first resolutions were passed by over three-fourths of the votes, and the last unanimously. In the Senate, on the very day that this report was made in the House, a debate commenced on a resolution of Mr. Hillhouse, of Connecticut, for repealing the embargo. The repeal was urged by most of the Eastern senators, and opposed by most of the senators from the South, and was finally voted down on the 2d of December; yeas, six; nays, twenty-five.

To prevent the evasion of the Embargo Act, which the mercantile part of the Eastern States had so loudly clamoured for, and in the pursuit of which they had so solemnly pledged themselves to support the government, Mr. Giles, of Virginia, on the 8th of December, introduced a stringent bill, making further provision for its enforcement, which, after some very sharp debates, was finally forced through the House in a midnight session. When the news of the "Enforcing Law," as it was called, reached New England, it caused such opposition and exasperation, that action among the people and the State Legislatures assumed the aspect of incipient rebellion.[1]

Several collectors resigned rather than risk the consequences of the public excitement. Newspapers appeared in mourning. In this trying period the merchants and seamen of Maryland, whose enterprise had carried the flag of their country to every quarter of the globe, with a spirit of endurance and patriotism submitted to inaction and starvation for the country's good. Suddenly, without warning and indemnity, the commerce of the State was reduced in exports from $14,298,984 in 1807 (the year in which the embargo passed,) to $2,721,106; yet they did not murmur, but on the contrary, when the repeal of the law was being discussed in Congress, General Samuel Smith, the representative of the chief commercial city of the State, opposed it upon patriotic motives, with all the ability he could command. This too, when the grass was beginning to grow in the late busy streets of his home, and he saw his own and his constituents' ships rotting at the wharves. While they were thus supporting the patriotic measures of the government, resistance and disunion were called for in the newspapers at the North, and by the votes of numerous town meetings.[2]

[1] "In Massachusetts, in the early part of the year 1809, open resistance to the embargo was advocated in the newspapers, preached from the pulpit, plainly menaced in the Legislature, and publicly proclaimed in inflammatory resolutions of town-meetings."—Carey's *Olive Branch*, p. 172. Lossing's *War of 1812*, p. 173.

[2] Hillhouse, in the course of his debate on the Enforcing Law, declared that the people were not bound to submit, and he did not believe

In the midst of this critical state of affairs, the citizens of Baltimore, on the 30th of January, 1808, assembled in town meeting at the Centre Market House to express their confidence in "the wisdom and integrity of the statesmen who now preside at the national councils." And to show their "determination to support the government, and to resist, with every energy we possess, all attempts to violate the majesty of the law." In a short time the market was crowded to excess, and on motion of Tobias E. Stansbury, Edward Johnson, the mayor of the city was called to the chair, and Colonel James A. Buchanan made secretary. Upon the organization of the meeting, the mayor appointed the following leading merchants of the city a committee to draft a set of resolutions, expressive of the views of the citizens of Baltimore, upon the momentous questions which were then agitating the country: James Calhoun, William Patterson, George Warner, Thomas McElderry,

they would submit. The *Boston Sentinel* said: The embargo "being unconstitutional, every man will perceive that *he is not bound to regard it, but may send his produce or merchandise to a foreign market in the same manner as if the government had never undertaken it.* If the petitions do not produce a relaxation or removal of the embargo, the people ought to immediately assume a higher tone. The Government of Massachusetts has also a duty to perform. The State is *still sovereign and independent.*" The *Boston Repertory* said: "If the embargo be not removed, our citizens" will set it "at defiance. It behooves us to *speak*; for, *strike* we must, if speaking does not answer." "It is better to suffer the amputation of a limb" [meaning the severance of New England from the Union], said the *Boston Gazette*, "than to lose the whole body. We must prepare for the operation. Wherefore, then, is New England asleep? Wherefore does she *submit* to the *oppression of enemies in the South?* Have we no Moses, who is inspired by the God of our fathers, and will *lead us out of Egypt?*" A handbill, circulated at Newburyport, said: "You have reposed confidence in a coward [Jefferson]. Nerve your arms with vengeance against the despot, who would wrest the inestimable germ of your independence from you, and you shall be conquerors!" The town of Augusta, Maine, January 16, 1809, declared that further "silence would be crime, and resistance would become a virtue of the first magnitude." The town of Boston, in a memorial to the Legislature, January 25, 1809, declared that their "hope and consolation rest with the Legislature; to whom it is competent to devise means of relief against the unconstitutional measures of the general government; that your power is adequate to this object, is evident from the organization of the confederacy." The town of Bath, December 27, 1808, requested the Legislature to take "steps for relieving the people, either by themselves alone, or in concert with other commercial States, as the extraordinary circumstances of our situation may require." The town of Gloucester, January 12, 1809, "*Resolved*, That to our State Government we look for counsel, protection and relief, at this awful period of general calamity." Such are a sample of the "patriotic proceedings" in the Eastern States in the year 1809, that shook the government to its centre, and were paraded in many of the "Federal" newspapers throughout the Union with great solemnity in staring capitals.—Matthew Carey's *Olive Branch*, p. 141.

In 1828, Mr. John Adams said: "He urged that a continuance of the embargo much longer would certainly be met by forcible resistance, supported by the Legislature, and probably by the judiciary of the State [Massachusetts]. That, to quell that resistance, if force should be resorted to by the government, it would produce a civil war, and that, in that event, he had no doubt the leaders of the party would secure the co-operation with them of Great Britain. That their object was, and had been for several years, a dissolution of the Union, and the establishment of a separate confederation, he knew from unequivocal evidence, although not provable in a court of law; and that, in case of a civil war, the aid of Great Britain, to effect that purpose, would be as surely resorted to, as it would be indispensably necessary to the design."—Randall's *Jefferson*, iii., pp. 293-295. See, also, John Henry's letters in *Olive Branch*, pp. 144-158.

The following is one of the resolutions of the town of Boston, passed in February at a town meeting: "*Resolved*, That we will not voluntarily aid or assist in the execution of the Act passed on the ninth day of this month, for enforcing the several embargo laws; and that all those who shall so assist in enforcing upon others the arbitrary and unconstitutional provisions of this Act, ought to be considered as enemies to the Constitution of the United States, and of this State, and hostile to the liberties of this people."

Tobias E. Stansbury, John Donnell, James Mosher, James Biays, William Wilson, John Hollins, Thomas Dickson, George Stiles, Peter Levering, Henry Payson and John Stricker.[1]

In a short time the committee reported the following resolutions, which were unanimously adopted amid enthusiastic applause:

"The probability every hour increasing of being soon obliged to abandon the present system of policy, and embrace some more energetic and decisive measures to assert our rights, perhaps to engage in war with the most powerful nations of the world, impress on us the obligation of invigorating the firmness of government by a voluntary tender of support, Therefore,

"*Resolved*, That at the present juncture it would be a dereliction of duty to withhold the expression of our sentiments respecting the state of the nation and the conduct of government, and that as citizens, it is incumbent on us to share with our representatives the responsibility of mutual opinions.

"*Resolved*, That the stagnation of commerce, affecting every interest of the community, is ascribable solely to causes beyond the control of the ministers of our government, to the anti-neutral edicts of Great Britain and France.

"*Resolved*, That the embargo was the wisest measure, which, under existing circumstances, could be opposed to those edicts, that its consequences have been important and beneficial, and that its complete success has been prevented by evasions which brand their perpetrators with indelible disgrace.

"*Resolved*, That in the law recently enacted by our national legislature to enforce the embargo, we see nothing which the constitution does not sanction, nothing which the times do not call for.

"*Resolved*, That the men who, prostituting the character of American citizenship, and preferring their private interest to the honor of the country, shall violate the embargo, will merit our undisguised contempt, and be unworthy to be ranked among the virtuous asserters of freedom; and that as we place among the vile and worthless those who have broken the law, we will hold up to the public execration all future offenders.

"*Resolved*, That we will hold in abhorrence and unworthy of the name of an American citizen, any individual who, either in word or deed, shall suggest or devise any other mode of altering or opposing the measures of government than is authorized and permitted by the constitution and laws of our country.

"*Resolved*, That we should view with horror, and resist to extremity, any attempt to dissolve the union of these States, the basis of our unrivalled prosperity.

"*Resolved*, That we have the most confident reliance on the patriotism and virtue of the great body of the people of the Eastern States, firmly believing that they, who were among the first to proclaim and establish our independence and union, will be last to destroy them.

"*Resolved*, That the licentious clamors of the party in opposition, originate in their terrors of its speedy dissolution, and not from any alarm for the safety of our general liberties; that it is the desperate effort of a sinking faction to regain the eminence it has fallen from—a struggle as unprincipled as it is hopeless.

"*Resolved*, That the unwarrantable interference of a foreign government with our domestic concerns, on a very recent occason, enkindles our keenest resentment, that we feel the insult as men tenacious of the precious rights of governing themselves, and that we regret the strong indications it has given of the existence of a profligate faction in the very bosom of our country, eager to promote any design that tends to prostrate our rights and independence.

[1] See the *Chronicles of Baltimore* in regard to these gentlemen.

"*Resolved*, That conscious of indulging no partiality for any country but our own, we despise the slanderous insinuation of French influence, that we scorn to scrutinize the minute distinctions of quality and degree in the outrages heaped on us by France and England, that we deem them both, while they maintain their present attitude, the enemies of the United States.

"*Resolved*, That we reflect, with mingled emotions of indignation and revenge, on the continuing and multiplying injuries and insults which we have received from the great belligerents of Europe, that although we would cherish the pacific policy, which has so eminently conduced to the prosperity of this nation, and would sacrifice to its preservation everything but our honor, we believe that the term of forbearance is almost expired, and that war, calamitous as it is, would not be unattended with advantage.

"*Resolved*, That copies of these resolutions be circulated through this State, for the information of our fellow-citizens, and to encourage their adherence to the genuine republican principles that do them so much honor." [1]

After several patriotic speeches the meeting adjourned.

The clamor excited against the embargo, and the tumultuous proceedings in the Eastern States, and its inefficacy to answer the purpose intended, arising partly from the factious and disorganizing opposition it met with, and several other causes, all combined to repeal the law, which took place on the 1st of March, 1809. As a pacific countervailing measure, in lieu of the embargo, to induce the European belligerents to respect our rights, the Act commonly called the Non-intercourse Act was enacted on the same day, by which the commerce of America was opened to all the world except to England and France, and British and French ships of war equallly excluded prospectively from American ports.

While the country was thus agitated, the election of a successor to Mr. Jefferson, as President of the United States, was discussed by the people. The friends of Mr. Jefferson who were in the majority in the Legislature of Maryland, as early as the 3d of January, 1807, presented him with an address, in which they expressed their approbation of the general course of his administration, and their desire that he would consent to the use of his name for re-election for a third presidential term. At the time this address was received, the country was greatly excited by the attack on the frigate *Chesapeake*, and war was contemplated throughout the Union. Mr. Jefferson, therefore, on the ground of public considerations thought it prudent to defer his answer until the excitement subsided, as he said he had no "desire to prematurely agitate the public mind on such a subject." On the 10th of December, 1807, however, in his reply to the Legislature of Maryland he said:

[1] Mr. Thomas B. Dorsey, one of the speakers, said: "No section of the Union can more justly appreciate, none certainly can more sensibly feel, the value of commerce, than the citizens of Baltimore; none, therefore, can have superior claims to respect and attention, in offering their opinions to government, and to their fellow-citizens." Similar resolutions were adopted by the citizens of Annapolis, at a large meeting held in the State-House, on the 4th of February, 1809, at which meeting, Governor Wright presided, with Colonel John Gassaway, an old Revolutionary officer, as secretary. The committee appointed to draft the resolutions were: William Kilty, Chancellor of the State; John Johnson, Attorney-General; Lewis Duvall and Thomas W. Hall, members of the Governor's Council; John Kilty, Register of the Land Office; and James Boyle, one of the City Council.

"That I should lay down my charge at a proper period is as much a duty as to have borne it faithfully. If some termination to the services of the chief magistrate be not fixed by the constitution, or supplied by practice, his office nominally for years, will in fact, become for life; and history shews how easily that degenerates into an inheritance. Believing that a representative government, responsible at short periods of election, is that which produces the greatest sum of happiness to mankind, I feel it a duty to do no act which shall essentially impair that principle; and I should unwillingly be the person who, disregarding the sound precedent set by an illustrious predecessor, should furnish the first example of prolongation beyond the second term of office."

To this, the Legislature, on the 6th of January, 1808, answered as follows:

"Whilst we duly appreciate the motives which induce you to decline being considered among the number of those out of whom the choice of our next president is to be made, and whilst we revere the patriotism which dictated those motives, permit us still to indulge the pleasing hope, that when the next period of presidential election approximates, should the united voice of your country require it, those same motives, and that same patriotism, will induce you to sacrifice your own private wishes and convenience to your country's good. But whatever may be your final determination, whether to retire to the bosom of domestic tranquillity, or to remain the First Magistrate of a Free People, a faithful public service of forty years, hath erected a monument in the hearts of your fellow-citizens which time will never erase."

In the meantime, the contest for the presidency proceeded not without much bitterness between James Madison and George Clinton, the democratic candidates for president and vice-president, and Charles C. Pinckney and Rufus King, the federal candidates. In Maryland, the National and State elections were contested with great vehemence. The federalists gained two or three members of Congress, and secured a majority in the Lower House of Assembly; but in the City of Baltimore, the democrats triumphed, which they celebrated with great enthusiasm.[1]

The Presidential electors chosen were John R. Plater, Tobias E. Stansbury, Robert Bowie, Thomas W. Veazey, Edward Johnson, Richard Tilghman, John Johnson, Earl Perry Spencer, John Tyler, Henry James Carroll and Nathaniel Rochester. In the electoral college, they cast their vote as follows: James Madison, for president, received nine votes, and George Clinton, for vice-president, the same. C. C. Pinckney received two votes, and Rufus King, the same. In the general result, James Madison received one hundred and twenty-two, and George Clinton one hundred and thirteen, and were declared president and vice-president. C. C. Pinckney, and Rufus King, each, received forty-seven electoral votes.

On the 4th of March, 1809, James Madison was inaugurated as President of the United States, and Robert Smith, of Baltimore, who had been appointed on the 26th of January, 1802, secretary of the navy, under Jefferson, and also on the 2d of March, 1805, the attorney-general, was retained in his cabinet

[1] They celebrated their victory by transporting the successful candidates through the city in a boat mounted on wheels and drawn by horses, and by a bonfire, on Gallows Hill, made of six pipes of gin imported from Holland, "that had paid tribute to England."

as secretary of state. On his return from England, on the 11th of December, 1811, William Pinkney was made attorney-general, and upon the death of Judge Samuel Chase, of the Supreme Court, Gabriel Duvall was appointed and confirmed to fill the vacancy on the 18th of November, 1811.

In the elections of 1809, the federal party secured a majority in the House of Delegates, while the Senate still remained in the hands of the democrats, which enabled them, on joint ballot, to choose Edward Lloyd, as governor. In 1810, the democrats recovered their ascendancy in the House, and elected on the 12th of November, Robert Bowie, governor. In the Legislature of 1811, the state of parties stood forty-four democrats to thirty-six federalists.[1]

In support of the course of the government, Mr. Edward Lloyd, late governor, introduced into the Senate of Maryland at its session on the 19th of October, 1811, the following resolutions which were adopoted :

"WHEREAS, It is highly important at this eventful crisis in our foreign relations, that the opinions and feelings of every section of the Union should be fairly expressed. Therefore, we, the Legislature of Maryland, do

"*Resolve*, That in the opinion of this Legislature, the measures of the administration, with respect to Great Britain, have been honorable, impartial and just; that, in their negotiations they have evinced every disposition to terminate our differences, on terms not incompatible with our national honor, and that they deserve the confidence and support of the nation.

"*Resolved*, That the measures of Great Britain have been, and still are destructive of our best and dearest rights, and being inconsistent with justice, with reason and with law, can be supported only by force. Therefore, if persisted in, by force should be resisted.

"*Resolved*, That the measures of the administration with respect to France, we highly approve. They have been fully authorized by the law and by the *fact*.

"*Resolved*, That the acts of injustice and violence, committed on our neutral rights by France, have excited all that indignation which a lawless exercise of power could not fail to do; but having now ceased to violate our neutral rights, we trust that the period is not far distant when by the acts of ample justice, all cause of complaint will be removed.

"*Resolved*, That the President's message, moderate, impartial and decisive, deserves *all our praise*. It points out the best course to an honorable independence.

"*Resolved*, That the independence established by the aid and valor of our fathers, will not tamely be yielded by their sons. The same spirit which led the Maryland regulars to battle, still exists in the State and waits only for its country's call."

Notwithstanding these patriotic resolves of the representatives of Maryland, the government appeared to have lost all regard to national honor and dignity. Our ambassadors had been for years in vain sueing for justice and forbearance at the Court of St. James, until they had become a theme of reproach by the federalists, and to the democrats of shame and mortification. And it was a by-word among the opponents of the administration that it "could not be kicked into a war."

[1] Harford, 4; Baltimore City, 2; Baltimore County, 4; Anne Arundel, 4; Annapolis, 2; Frederick, 4; Washington, 4; Cecil, 4; Queen Ann's, 4; Talbot, 4; Caroline, 4; Dorchester, 3; Allegany, 1; 44 Democrats. Montgomery 4; Prince George's, 4; Calvert, 4; Charles, 4; St. Mary's, 4; Kent, 4; Somerset, 4; Worcester, 4; Dorchester, 1; Allegany, 3; 36 Federalists.

At this time, March, 1812, three seamen made their escape from the British ketch *Gleanor*, lying off Annapolis. Before they reached the shore they were observed by the officers on board, and several cannon and a number of muskets were fired at them without effect or deterring them in their escape. They were, however, quickly pursued by their officers and a number of men fully armed, and notwithstanding the remonstrance of a justice of the peace, they declared they would compel their return by force of arms if found. In the meantime a large number of the citizens of the city gathered, and after arming themselves, followed the British officers, determined to rescue the deserters at all hazards should they be taken. Returning from a fruitless search, the Englishmen were met by the citizens, who demanded their arms, and finding resistance useless, they delivered them up, and were marched into town as "prisoners of war." The citizens after humiliating them in this manner for the violation of the dignity of the State, discharged and returned their arms, and sent them on board their vessel, but not without the loss of another seaman, who, finding himself among friends, boldly refused to return on board.

In the meantime, on the 21st of May, a democratic convention of delegates from all the wards of Baltimore, assembled in that city, at the Fountain Inn, and organized by the selection of Joseph H. Nicholson as president, and John Montgomery as secretary. After a number of speeches, the convention unanimously adopted the following resolutions:

"We, the delegates of the city and precincts of Baltimore, in general committee assembled, for the purpose of taking into consideration the present situation of public affairs, do resolve unanimously:

"I. That in the conduct of Great Britain towards the United States for some years past, we can perceive nothing but a determined hostility to our national rights. She forcibly impresses our seamen, and detains them inhumanly in an odious servitude; she obstructs our commerce in every channel through which it has been accustomed to flow; she has murdered our citizens within our own waters, and has made one attempt at least to dissolve the union of these States, thereby striking at the foundation of our government itself.

"II. That the Government of the United States has manifested the strongest desire to maintain peace and harmony with all nations, not only by observing a course of equal and exact justice to all, but by proposing to those with whom any differences have arisen, terms the most honorable and conciliatory.

"III. That inasmuch as Great Britain has rejected those terms, and still persists in violating every principle heretofore held sacred among nations, no alternative is left to the United States but to choose between war and degradation. In the choice of these it is impossible freemen should hesitate, and in the prosecution of such a war we pledge ourselves to support our government at every hazard.

"IV. That the conduct of France, and of other powers in alliance with her and under her immediate influence, towards the United States has been scarcely less atrocious than that of England; and if the pending negotiations should terminate without an honorable adjustment of existing differences, we have full confidence that our government will direct the most active hostilities to be commenced against her for a redress of our grievances and

the maintenance of our rights; at the same time we wish it explicitly understood, that in our well-founded complaints against foreign nations, Russia and Sweden are not to be included.

"Ordered: That the above resolutions be signed by all the members of the general committee, and that they be transmitted by the chairman to the President of the United States.

"Joseph H. Nicholson, A. R. Levering, David Fulton, Charles Bohn, William B. Barney, John Montgomery, Christopher Hughes, Jr., Benjamin Berry, Nathan Levering, J. W. McCulloch, William Camp, J. S. Hollins, Joseph Jaminson, James Hutton, Peter Diffenderffer, S. Briscoe, E. G. Woodyear, Hezekiah Niles, James Armstrong, Joseph Smith, Daniel Conn, John Kelso, Hezekiah Price, George Milleman, James C. Dew, J. A. Buchanan, Lemuel Taylor, Luke Tiernan, William Wilson, J. L. Donaldson, L. Hollingsworth, James Martin, James Wilson, G. J. Brown, Richard Mackall, Edward Johnson, George Stiles, James Williams, William McDonald, William Pechin, James Biays, David Burke, Thorndike Chase, Timothy Gardner, Thomas Sheppard, George Warner, N. F. Williams, J. H. McCulloch, Theodoric Bland, Christian Baum."

Thus it was that the people of Maryland clamored for redress against Great Britain for the most humiliating outrages, and injury that the United States had patiently borne. Her conduct towards us had been a constant succession of insult, aggression and depredation. Our harbors had been insulted and outraged; our commerce swept from the ocean; our seamen impressed into British fleets, scourged and slaughtered, fighting the battles of those who held them in cruel bondage, and our national flag insulted wherever displayed. The drain on our marine was so great that in 1806, three thousand seamen had been piratically carried into slavery, whose cries came before our goverment signed by their own hands;[1] but such was the difficulty of such an application, that it is but fair to infer that the whole number was not less than six thousand; for they were taken from sea to sea, and from place to place, from one country or island to another, shifted from ship to ship, and often sent to distant parts of the world, so as to place them beyond the research of their friends or their country, and put it out the power of either to reclaim them.[2]

We had, in a word, experienced numberless and most wanton injuries and outrages of various kinds. But the two most prominent causes of complaint assigned by the President in his message of June 1st, 1812, were impressment and the orders in council. Therefore, when the President, in that message which recommended, and by the committee of Congress, in the report which contained a declaration of hostilities were promulgated, war was just and expedient. The risk was immense, as it was putting to hazard the vital interests of eight millions of people, on the very uncertain chances of war.

[1] Yet, wonderful to tell, a committee of the Legislature of "the great commercial State of Massachusetts" did report that, at the commencement of the war, there were but "eleven" impressed Massachusetts sailors on board the vessels of his Britannic Majesty.

[2] Hon. Henry F. Garey's address before the Old Defenders of Baltimore, on the 12th of September, 1860.

At length, on the 18th of June, 1812, war was formally declared against Great Britain, after a session of above seven months, and the most ardent debates. The final vote was carried in the Senate by nineteen to thirteen, and in the House of Representatives by seventy-nine to forty-nine; affirmative in both Houses ninety-eight; negatives, sixty-two. In the House of Representatives, the Maryland delegates voted as follows: In the affirmative, Stevenson Archer, Joseph Kent,[1] Peter Little,[2] Alexander McKim, Samuel Ringgold and Robert Wright, six. In the negative, Charles Goldsborough,[3] Philip Barton Key, and Philip Stuart. In the Senate, General Samuel Smith, voted aye, and Philip Reed, voted nay.

[1] Joseph Kent was born in Calvert County January 14, 1779, and was educated as a physician, and combined the practice of his profession with the successful pursuit of agriculture, first in Calvert County, and after 1806 in Prince George's County. He was a member of Congress in 1811-15, and from 1821 to 1826; governor from 1826 to 1829, and United States Senator from 1833 to 1837. He died near his residence in the vicinity of Bladensburg, November 24, 1839.

[2] Colonel Peter Little was born in Pennsylvania, December 11, 1775. He was of German and French extraction, his grandfather having emigrated from Germany in 1735 and settled in Pennsylvania, where he laid out Littlestown. In November, 1789, Peter Little removed to Baltimore, and in October, 1806, represented Baltimore County in the Legislature. He was appointed to the command of the 50th Maryland Regiment of militia, and in 1810 was elected a representative in Congress from Baltimore County and City. He voted for the war of 1812, and on the 19th of May, 1813, was appointed colonel of the 38th United States Infantry, which he retained until the close of the war, June 15, 1815, when his regiment was disbanded. In October, 1815, he was once more elected to the Legislature, and in 1816 was elected to Congress to fill the vacancy occasioned by the resignation of William Pinkney. He continued to represent his district in Congress until October, 1829. He took the various degrees in the Concordia Lodge of Masons, in Baltimore, in 1797, and was elected grand secretary in 1798; grand sword bearer in 1799; grand treasurer from 1804 to 1807, and at the same time acting as grand inspector for Baltimore County: a member of the Building Committee on the old Masonic Hall, on St. Paul street (now used as Baltimore City and Circuit Courts). He was elected grand senior warden in 1811, and in 1818 was chosen grand master, serving with great ability two terms. He died on his farm, near Freedom, Baltimore County, February 5, 1830, in the 55th year of his age.

[3] Charles W. Goldsborough was born in Maryland, and governor of the State 1818-19, and member of Congress from 1805 to 1817. He died at Shoal Creek, Maryland, December 13, 1834.

END OF VOLUME II.

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